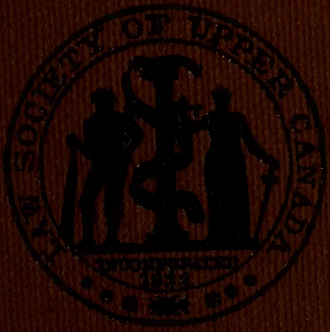

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MINUTES

OF THE

MEETING OF CONVOCATION

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THE MINUTES OF THE MEETING OF CONVOCATION, 1963-1967 were published in the Ontario Reports from time to time during those years and have been consolidated for the years concerned in this volume.

PAGES ARE ARRANGED in numerical sequence for each of the years included.

PAGES FOR the Minutes of the Meetings of Convocation from Friday, 21st May, 1965 to Friday, 15th October, 1965 were incorrectly numbered clxxix to cxcviii and have been corrected to read cxix to ccxx in this volume.

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JAN 30 1969
LAW SOCIETY OF UPPER CANADA

MEETING OF CONVOCATION

Friday, 15th November 1963
10:30 a.m.

Present:

The Treasurer and Messrs. Ball, Beaton, Chitty, Clement, Creighton, Davis, Fennell, Ford, Gregory, Harris, Howland, Jessup, Levinter, Maloney, G. A. Martin, W. S. Martin, McCulloch, McLaughlin, MacTavish, O'Brien, Raney, Robins, Sanders, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, Weir, Williston, P. D. Wilson, R. F. Wilson and Wright.

The Minutes of the Meeting of Convocation of 18th October 1963 and of the Special Meeting of Convocation of the 1st November 1963, were read and confirmed.

Election of Benchers

Mr. Arthur S. Pattillo, Q.C., of Toronto was elected a Bencher to fill the vacancy caused by the appointment of Mr. G. T. Evans, Q.C., to the Supreme Court of Ontario.

Committees

Mr. Arthur S. Pattillo, Q.C., was appointed to the following Committees:

Discipline
Legal Aid
Public Relations

Mr. H. E. Harris, Q.C. was appointed to the County Libraries Committee.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on Thursday, the 14th November 1963, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Creighton, Gregory, Sanders, Seaman, Seymour, Sheard, Slemin, Williston and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the approval of the Committee to the following appointments to the faculty of the Bar Admission Course:

COMMERCIAL LAW SECTION

Mr. Alexander R. Kaye, as an Instructor in place of Mr. John H. Rodd, resigned.

ESTATE PLANNING SECTION

Mr. W. M. Temple, as an Instructor in place of Mr. R. J. Stanbury, Q.C., resigned.

Mr. J. S. Grafstein, as a Stand-by Instructor in place of Mr. G. D. Worley, resigned.

Approved.

OSGOODE HALL LAW SCHOOL

LAW SOCIETY SCHOLARSHIP FOR POST-GRADUATE STUDY

B. Barry-Swadron. On 18th October 1963, Mr. Swadron was granted the Law Society Scholarship. A letter from him to the Secretary expressing his thanks and appreciation is before the Committee.

Received.

ADMISSION OF SPECIAL STUDENTS

Lionel Bernard White. The applicant is a graduate in Arts from the University of Toronto in 1956 and of Osgoode Hall Law School in the old four year course, in 1960. He was called to the Bar and admitted as a solicitor on 22nd June 1960. He is presently practising with Messrs. Shifrin & Solish, 133 Richmond Street West, Toronto. He applies for admission to the Osgoode Hall Law School as a special student with permission to take the Seminar in Advanced Taxation to be offered by Mr. John G. McDonald, Q.C., in the Spring Term commencing January 1964.

Approved.

James Arthur Stephenson. The applicant is a graduate of the Faculty of Engineering of McGill University and obtained the degree of Bachelor of Engineering in Metallurgy on 5th October 1956. He is a graduate of the Osgoode Hall Law School, in the old four year course, in 1960. He is presently practising with Messrs. Blackwell, Hilton, Treadgold & Spratt, 372 Bay Street, Toronto, Ontario. He applies for admission to the Osgoode Hall Law School as a Special Student with permission to take the Seminar in Advanced Taxation to be offered by Mr. John G. McDonald, Q.C., in the Spring Term commencing January 1964.

Approved.

ANNUAL MEETING OF THE ASSOCIATION OF AMERICAN LAW SCHOOLS

The 1963 Annual Meeting of the Association of American Law Schools is being held at the Hilton Hotel, Los Angeles, on 28th-30th December 1963.

A memorandum from the Dean is before the Committee recommending that the representatives this year should be Assistant Professor Harry W. Arthurs, Professor John T. Blanchard, Professor Jean G. Castel, Professor R. J. Gray and Assistant Professor A. M. Linden.

Approved.

OSGOODE HALL LAW SCHOOL FULL-TIME TEACHING STAFF

ASSISTANT PROFESSOR

P. S. A. Lamek was appointed to the full-time staff of the Law School on 24th August 1962, with the rank of Assistant Professor and Assistant Librarian for the Phillips Stewart Library. By 30th June 1964, he will have completed two academic years on the staff of the law school. In the present academic session, in addition to his library duties, he is conducting a course of lectures with the First Year on the History of Law and Legal Institutions to which 36 hours have been allotted. He is also supervising the Legal Writing Programme in the Law School.

The Dean recommends that P. S. A. Lamek be appointed Assistant Professor for a further period of one year from 1st July 1964.

Approved.

ASSOCIATE PROFESSORS

The following three persons were appointed to the full-time teaching staff of the Law School for a period of one year from 1st July 1961, with the rank of lecturer: Harry William Arthurs, Martin Lawrence Friedland, Allen Martin Linden.

On 1st July 1962, they were appointed for a further period of one year from 1st July 1962, with the rank of Assistant Professor, and as of June 30th 1964, will have served on the Law School staff for a period of three years.

The Statement of Policy on Academic Tenure adopted by

Convocation on 17th November 1961, provides that after serving as an Assistant Professor for three years, a member of the Faculty should normally either be promoted as an Associate Professor or be told that he will not be re-appointed. In the normal course of events, appointments as an Associate Professor are for an indefinite period and need not be renewed annually.

The Dean recommends that Harry William Arthurs, Martin Lawrence Friedland and Allen Martin Linden be appointed as Associate Professors with tenure as of 1st July 1964.

Approved.

THOMAS COWPER ROBINETTE MEMORIAL PRIZE

Mr. J. J. Robinette, Q.C., has offered to make funds available on an annual basis for the establishment of an annual prize of $150 in memory of his late father, Thomas Cowper Robinette, K.C., to be awarded to the Third Year student who obtains the highest mark in the subject of Criminology. The terms of the gift are within the standards referred to in the Report of the Sub-Committee on Prizes, Bursaries and Scholarships dated 14th March 1962.

A memorandum from the Dean is before the Committee recommending that the offer be accepted with gratitude and that the prize, to be known as The Thomas Cowper Robinette Memorial Prize, be established in the Law School, the first award to be made in 1963-64.

Approved.

APPROVAL OF LAW FACULTIES

Manitoba Law School

On 28th October 1963, The Honourable E. K. Williams, Chairman of the Board of Trustees, Manitoba Law School, was informed of the Society's decision with respect to their application for approval for the purpose of having their graduates enter the Bar Admission Course, and their reply is before the Committee.

Noted.

THE REPORT WAS ADOPTED.

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on Thursday, 14th November 1963, at 3:30 p.m., the following members being present: Mr. Terence

Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Gregory, Robins, Williston and R. F. Wilson.

Admission of Students-at-Law

The following candidate has complied with the relevant Regulations, and now applies for admission to the Law Society as a student-at-law in the Bar Admission Course, as of 1st September 1963:

Under Bar Admission Regulations — Part II — No. 2

229. Compton, Leonard Pickering — B.Sc. Dalhousie 1962; LL.B. Dalhousie 1963.

Approved.

Your Committee considered petitions for special relief and made recommendations thereon.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE — Mr. Gregory

Your Committee met on Wednesday, the 14th November 1963, the following members being present: Messrs. W. P. Gregory (Chairman), Terence Sheard (Vice-Chairman), Common, Harris, Howland, Levinter, W. S. Martin, Slemin, Steele, Weir, P. D. Wilson and R. F. Wilson.

Financial Statement, 1st July to 31st October 1963

Approved.

Rolls and Records

The Secretary reports —

(1) *Appointment to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their records have been transferred to the inactive list:

G. T. Evans, Q.C., Timmins	Called — 15th June 1939; Appointed Judge, S.C.O., 31st October 1963.
J. W. Brooke, Q.C., Toronto	Called — 29th June 1949; Appointed Judge, S.C.O., 31st October 1963.
W. M. Dubrule, Q.C., Prescott	Called — 19th June 1930; Appointed Judge, C.C.C. Leeds & Grenville, 31st October 1963.

G. E. Collins, Q.C., Sudbury	Called — 20th February 1941. Appointed Judge, District Court, District of Manitoulin, 31st October 1963.

(2) *Deaths*

That the following former members of the Law Society have died and their respective records have been transferred to Past Records:

W. E. V. Goodwin, Q.C., Stratford	Called — 23rd October 1916; Died — 18th March 1963.
B. B. Jordan, Q.C., Saint John, N.B.	Called — 19th January 1922; Died — 10th September 1963.
R. G. M. McDougall, Toronto	Called — 18th November 1926; Died — 19th September 1963.
J. A. Boles, Toronto	Called — 16th June 1921; Died — 25th October 1963.
Norman E. Strickland, Toronto	Called — 19th May 1921; Died — 6th November 1963.

(3) *Disbarment*

That the following member of the Law Society has been disbarred and struck off the rolls and his name has been removed from the rolls and records of the Law Society:

Earl H. Slater, Q.C., London	Called — 16th September 1943; Disbarred — 1st November 1963.

LEGAL EDUCATION COMMITTEE

Phillips-Stewart Library — Lighting

At its meeting on the 15th May 1963 the Legal Education Committee considered —

Improving the lighting in the south reading room.

The Legal Education Committee recommended, subject to the approval of the Finance Committee, that the installation be approved.

Approved.

OSGOODE HALL LAW SCHOOL STUDENT LOAN COMMITTEE

presents a Report dated 11th November 1963 and signed by H. Allan Leal (Chairman), Percy D. Wilson, Ian F. G. Baxter and D. C. Hefferon. The Report authorizes nine loans in the amounts of $2.950 immediate and $800 deferred.

For the information of the Finance and Legal Education

Committees, the Loan Committee reported that its experience in the re-payment of these loans has been entirely satisfactory.

Approved.

Your Committee wishes to express its thanks to the four members of the Committee for their assistance in confirming the applications for loans.

HONORARY LIFE MEMBERS

Pursuant to a policy as amended and adopted by Convocation on the 15th January 1960, the Secretary reports that as of December 1st 1963 the following became Honorary Life Members of the Law Society of Upper Canada:

Barristers and Solicitors	*Address*	*Date of Call*
Geoffrey Walters Adams, Q.C.	Toronto	Easter 1913
Arthur Lyman Fleming, Q.C.	Toronto	Easter 1913
John Hamilton Flett	Welland	Michaelmas 1913
Allan Joseph Fraser	Ottawa	Easter 1913
Richard Harold Green Ivey, Q.C.	London	Trinity 1913
George Merle Miller, Q.C.	Sudbury	Trinity 1913
Jean Cairns Morris	Hamilton	Trinity 1913
Macneil Clarke McLean, Q.C.	Toronto	Easter 1913
Allan E. Parkinson	St. Mary's	Trinity 1913
Nathan Phillips, Q.C.	Toronto	Michaelmas 1913
William Proudfoot, Q.C.	Toronto	Easter 1913
Percy Dixon Wilson, Q.C.	Willowdale	Easter 1913
Bar only		
Samuel Rupert Broadfoot, Q.C.	Ottawa	Easter 1913
Murray Gordon, Q.C.	Bermuda	Easter 1913
Norman Lisle LeSueur, Q.C.	Sarnia	Easter 1913
Kenneth Wycott Wright, Q.C.	Ottawa	Michaelmas 1913
Judges		
Donald James Cowan	Brantford	Easter 1908
Albert Brock Currey	Gore Bay	Trinity 1913
Albert John Gordon	Windsor	Easter 1913
John Hay McDonald	Sault Ste. Marie	Trinity 1913

Approved.

LUNCHEON ROOM

The Misses Lennox presented a statement of the operation of the Luncheon Room for the year ending 1st September 1963 showing a gross profit for the year of $3,138.21. During the year 31,424 meals were served, of which 3,327 were special dinners.

Approved.

BAR ADMISSION COURSE

Banquet to Faculty and Students

Mr. R. J. Roberts, Q.C., the Director, presents a memorandum asking authorization to proceed with arrangements for this banquet.

Approved.

Second National Conference on Continuing Education of the Bar — New York

Mr. R. J. Roberts, the Director, has been invited to attend the Second National Conference on the Continuing Education of the Bar sponsored by the Joint Committee on Continuing Legal Education of the American Law Institute and the American Bar Association at Arden House from 14th-17th December 1963.

Approved.

PORTRAITS

During the painting of the Great Library the three large portraits of Sir John Beverley Robinson, Sir Alexander Boyd and the Honourable Thomas Moss were removed from the walls and found to be in rather bad condition. They were examined by Eduard Zukowski, who has been the Society's consultant for some years, and on 28th August he reported that the portraits were in bad condition and needed expensive repairs. The Chairman of the Finance Committee was immediately informed of the situation and approved of the repairs being done forthwith. The portraits have now been completely restored and are hanging in the Great Library.

Approved.

LEGAL MEETINGS AND ENTERTAINMENTS

27th November, 1963	—County of York Law Association — Dinner Meeting in Convocation Hall
3rd December, 1963	—Guild of Our Lady of Good Counsel —Dinner Meeting in Convocation Hall.

Approved.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE

Mr. G. A. Martin, Chairman, presented the Reports of the Discipline Committee:

RE: PERCY SUTHERLAND RUTSON MALCOMSON

The Committee reported that after due inquiry it found that the solicitor was guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had not replied to letters from the Law Society of Upper Canada in connection with complaints against his professional conduct and recommended that the solicitor be reprimanded in Convocation and that he be required to pay the costs of the Society's investigation.

The Chairman read a letter of 12th November 1963 from the solicitor reporting on the subject matter of the complaint.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor attended before Convocation and acknowledged receipt of a copy of the Report of the Discipline Committee, but did not address Convocation.

The motion was carried.

The solicitor attended again before Convocation and was reprimanded by the Treasurer.

RE: GEORGE MAURICE BLEAKNEY

The Committee reported that after due inquiry it found that the solicitor was guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had not replied to letters from the Law Society of Upper Canada in connection with a complaint against his professional conduct and recommended that the solicitor be reprimanded in Convocation.

The Chairman read a telegram of November 14, 1963 from the Polish Consulate in Montreal, the original complainant.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor attended and addressed Convocation.

The motion was carried.

The solicitor attended again before Convocation and was reprimanded by the Treasurer.

ORDER

The Secretary placed before Convocation the following Order, which, in compliance with Rule 79, is entered on the Minutes of Convocation:

RE: EARL HUBERT SLATER; order striking off the Rolls.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 13th November 1963, the following members being present: Messrs. Steele (Chairman), Martin (Vice-chairman), Harris, Levinter, Maloney, Slemin, Strauss and Wilson.

MISSING BOOKS

Your Committee reports that it authorized the purchase of certain books, of which one, at a cost of $15.00, is to replace a book taken from the library without permission.

RULES REVISION

Your Committee reports that it considered a draft revision of the rules relating to the libraries and the Great Library regulations and approved them subject to certain changes.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE—Mr. Wright

Your Committee met on Wednesday, the 13th November 1963, the following members being present: Messrs. Wright (Chairman), O'Brien, (Vice-Chairman), Common, Harris, Levinter, Maloney, W. S. Martin, McCulloch and Strauss.

REVISION OF RULES — REPORTING COMMITTEE

Your Committee, after considering the revision of Rules drafted by Mr. R. F. Reid, Q.C., and the suggested changes made by the Chairman, recommends that the following revised Rules now be adopted:

RULE (1) The Reporting Committee is responsible to Convocation for the provision of prompt and accurate reports of significant reasons for judgment in the courts having jurisdiction in Ontario and of copies of such reasons when not otherwise provided and may subject to the approval of Convocation make such arrangements and take such steps as the Committee may deem necessary or desirable to carry out such responsibilities.

RULE (2) A copy of the reports published by authority of the Society shall be furnished at the expense of the Society to such persons as Convocation, on the recommendation of the Committee, may from time to time direct.

RULE (3) Copies of the reports published under the authority of the Society and such other reports as the Committee may from time to time determine, shall for the ensuing year be furnished to all members of the Society who have paid their fees for such year and to honorary life members who have been receiving reports.

RULE (4) The Reporting Committee may make provision for the distribution of copies of reasons for judgment on such terms as the Committee may from time to time determine.

The Committee instructed the Secretary to ascertain the necessity of continuing distribution of the Ontario Reports to those persons designated under old Rule 68.

REASONS FOR JUDGMENT

On 16th October 1963, the Committee approved in principle that a copy of any written Reasons be filed with the Record in order that the Reasons be available to litigants without cost; and the present system of the Law Society be continued.

Mr. W. B. Common discussed the matter with the Attorney-General and the Committee recommends that this matter stand for his further report.

ONTARIO REPORTS — PRINTING

Your Committee considered correspondence from Canada Law Book Co. Limited,, stating that commencing 1st November the price of the Ontario Reports per page will be increased to take care of the increase in the cost of paper. The price per page will be increased from $13.15 and $17.30 to $13.27 and $17.42.

The Committee approved the increase.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 15th November 1963, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Clement, Creighton, Jessup, MacTavish, Raney, Sanders, Seaman, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the Lennox and Addington Law Association which failed to file its annual returns within three months from the 15th January 1963 has now filed its annual returns for the year 1962 and otherwise complied with the Rules adopted from time to time relating to county Law Libraries and recommends that a grant be made to it of $540.00. The Nipissing and Prescott and Russell Associations have not yet sent in their annual returns for the year 1962.

YORK COUNTY LAW ASSOCIATION

A resolution of the York County Law Association requesting that the Society reconsider the present arrangements for financing county and district libraries and suggesting that there should be increased government support was read and considered. Your Committee named a sub-committee of the Chairman and Mr. Strauss who, with the Chief Librarian, are to meet officers of the York County association and report back to the Committee at its January 1964 meeting.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE

Mr. Seaman, Chairman, reported orally on several matters under consideration by the Committee.

The Report was received.

CONTINUING EDUCATION COMMITTEE—Mr. Robins

Your Committee met on Thursday, the 14th November 1963, the following members being present: Messrs. Robins (Chairman), Howland, Slemin and Williston.

APPOINTMENT OF VICE-CHAIRMAN

Mr. W. B. Williston, Q.C., was appointed Vice-Chairman.

REVISION OF RULES — *Continuing Education Committee*

Your Committee recommends the adoption of the following rule:

> "The Continuing Education Committee is responsible to Convocation for all matters relating to the continuing education of the practising profession and may, subject to the approval of Convocation, make such arrangements, including the holding of courses of lectures and the publication thereof, as the committee deems necessary or desirable for this purpose".

CONTINUING EDUCATION LECTURES 1964 — *Taxation*

The Chairman presented several memoranda with reference to the proposed program for Special Lectures 1964. The Committee considered particularly "Commercial Tax Problems" and "Developments in Estate Planning."

Your Committee, after further consideration with its taxation advisers, proposes to hold a special meeting before the end of November to decide on details of the lectures, and to name the lecturers.

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on Friday, the 18th October 1963 at 12:45 p.m., the following members being present: Messrs. W. S. Martin (Chairman), Evans, Jamieson, O'Brien, Raney, Weir and Wright.

REVISION OF RULES

Your Committee recommends the adoption of the following rule:

> "The Public Relations Committee is responsible to Convocation for all matters pertaining to the relations between the profession and the public, and among the members of the profession, and shall make such recommendations to Convocation as they think desirable for the promotion of confidence in the profession and generally on all matters of publicity."

THE REPORT WAS ADOPTED.

PROFESSIONAL CONDUCT COMMITTEE

Mr. Slemin, Chairman, presented the Report of the Professional Conduct Committee.

Moved by Mr. Slemin, seconded by Mr. Howland, that the Report be adopted.

Moved in amendment by Mr. Robins, seconded by Mr. Levinter, that consideration of the Report be referred to the January 1964 meeting of Convocation, and that a copy of the Report be sent to all Benchers.

The amendment was carried.

JOINT COMMITTEE ON LEGAL AID

The Treasurer announced that he had appointed Mr. R. D. Steele, Q.C., a representative of the Law Society on the Joint Committee in place of the Honourable Mr. Justice G. T. Evans; and informed Convocation that the Committee had sent out over 500 questionnaires to associations and individuals.

ONTARIO INTER PROFESSIONAL LIAISON COMMITTEE

The Treasurer stated that the Law Society of Upper Canada had been host to a dinner meeting of the Committee held at Osgoode Hall on the 24th October 1963, and reported that progress had been made on exploring areas in which the professions might be mutually helpful.

The Treasurer reported on his visits to County and District Associations since the last meeting of Convocation. He stated that he had spoken to a joint meeting of the Peel, Halton, and Dufferin Associations, and to a meeting of the Hamilton Lawyers Club,, and that his addresses had been received with great interest.

CONVOCATION THEN ROSE

The Treasurer and Benchers entertained at luncheon Mr. C. H. Walker, Q.C., and Mr. R. F. Reid, Q.C., Legal Advisers to the Law Society, and Mr. Harrison Arrell, Q.C., who was called to the Bar in 1898, and is an Honorary Life Member of the Society. Mr. Arrell celebrated his 89th birthday on the 14th November, and is one of the senior members of the Society still in practice.

J. D. Arnup
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 17TH JANUARY 1964
11 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beaton, Carson, Chitty, Clement, Creighton, Davis, Fennell, Ford, Gregory, Harris, Howland, Keith, Maloney, W. S. Martin, McLaughlin, O'Brien, Raney, Rigney, Robinette, Robins, Sanders, Seymour, Seaman, Sheard, Slemin, Steele, Strauss, R. F. Wilson, and Wright.

The minutes of the Meeting of Convocation of 15th November 1963 were read and confirmed.

BENCHERS

The Treasurer announced the death on the 15th November 1963 of the Honourable Duncan Kenneth MacTavish, Q.C., a Bencher of this Society.

Mr. MacTavish was first elected a Bencher on the 19th May 1949 to fill the vacancy caused by the appointment of Mr. C.W.R. Bowlby to the Court of Appeal, and was re-elected at the quinquennial elections of 1951, 1956, 1961. He served on many standing committees, and was Chairman of the County Libraries Committee from the 17th May 1951 to 1958 inclusive. He was appointed to the Senate on the 12th June 1963.

It was ordered that an expression of sincere regret of the Benchers be recorded in the Minutes.

The Treasurer announced the death on the 21st December 1963 of William Herbert Price, Q.C., sometime Attorney-General of Ontario, 18th October 1926, and a Bencher ex officio of this Society. At the time of his death Mr. Price was the senior ex officio Bencher of the Society.

It was ordered that an expression of sincere regret of the Benchers be recorded in the Minutes.

ELECTION OF BENCHERS

Mr. Wesley Gibson Gray, Q.C., of Toronto was elected a Bencher to fill the vacancy caused by the death of the Honourable Duncan K. MacTavish, Q.C.

COMMITTEES

Mr. Wesley Gibson Gray, Q.C., was appointed to the following Committees:

Finance
Discipline

Continuing Education
Public Relations

Mr. W. S. Martin, Q.C., was appointed to the Unauthorized Practice and County Libraries Committees; and at his own request was removed from the Discipline Committee.

Senate, University of Toronto

Mr. Donald Allayne Keith, Q.C., was appointed the representative of the Law Society of Upper Canada to the Senate of the University of Toronto for the Quadrennium 1964-68.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on Thursday, 16th January 1964, at 4:15 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, and Messrs. Ball, Gregory, Keith, Robins, Seaman, Sheard and R. F. Wilson.

BAR ADMISSION COURSE

Faculty

The Director requests the approval of the Committee to the following appointments to the faculty of the Bar Admission Course:

Domestic Relations Section

Mr. Ian G. Scott, as an Instructor in place of Mr. G. E. Burson, Q.C., resigned.

Mr. E. H. Kasdan, as a Stand-by Instructor in place of Mr. Ian G. Scott, promoted to Instructor.

Mr. E. R. Pepper, Q.C., as a Stand-by Instructor in place of Mr. H. H. Solway, resigned.

Surrogate Court Practice Section

Mr. W. E. MacLatchy, as an Instructor in place of Mr. R. H. Honeyford, resigned.

Mr. R. C. White, as an Instructor in place of Mr. H. B. Parkinson, resigned.

Approved.

Reduction of Expenditures

The Finance Committee has asked this Committee to consider how expenditures might be reduced in the Bar Admission Course.

Your Committee recommends that the matter be referred to a sub-committee of this Committee to be appointed by the

Chairman to investigate and report back. The Chairman appointed Messrs. Howland, Robins, Sheard, Keith and Williston, Mr. Roberts to be invited to attend.

OSGOODE HALL LAW SCHOOL

ANNUAL REPORT

The Annual Report of the Dean is before the Committee.

The Committee recommends the report be received and that a copy be sent to each Bencher also that the question of wider publication in the Weekly Notes be referred to the Public Relations Committee.

FALL TERM EXAMINATIONS — 1963

The Dean reports on the 1963 Fall Term Examination of all three years at the Law School. The returns are as follows:

First Year

Subject	*Passed*	*Failed*	*DNW*	*Candidates Eligible*
Legal History	161	23	5	189
Personal Property	167	19	3	189
Second Year				
Banking and Bills of Exchange	117	26	0	143
Sale of Goods	127	15	0	142
Third Year				
Accounting	98	7	0	105
Civil Law	43	0	1	44
Criminology	27	0	0	27
International Comm. Transactions	20	0	0	20
Legal Regulation of Competition	18	0	0	18
Legislation	18	0	0	18

Received.

ADMISSION OF SPECIAL STUDENTS

Your Committee considered two requests for admission as special students and approved them.

RESEARCH PROJECT IN SECURITIES LEGISLATION

Mr. J. R. Kimber, Q.C., Chairman of the Attorney-General's Committee on Securities Legislation, has approached the Dean with a view to obtaining assistance from one of the members of Faculty to do the research in connection with the work of that Committee. Professor M. L. Friedland has indicated that he would be glad to take on this assignment and Mr. Kimber indicated that he would be acceptable. Professor Friedland would be appointed as Legal Associate to the Committee.

Approved.

VISITING LECTURER — UNIVERSITY OF MONTREAL
DR. J. G. CASTEL

A memorandum from the Dean is before the Committee recommending that Dr. J. G. Castel of the Faculty of Osgoode Hall Law School be given permission to deliver a course of lectures on Comparative Conflicts of Laws in the Doctoral Programme at the Faculty of Law, University of Montreal in the spring term of the academic session 1964-65.

Approved.

APPOINTMENT OF LAW SCHOOL STAFF —
PROFESSOR ARTHUR L. FOOTE

At its meeting on 16th May 1963, the Legal Education Committee recommended and the following day Convocation approved the appointment of Arthur L. Foote to the full-time teaching staff of the Law School for a period of one year from 1st July 1963, with the rank of Associate Professor.

The Dean recommends that Arthur L. Foote be appointed with the rank of Associate Professor, with tenure, from 1st July 1964.

Approved.

PROFESSOR D. B. SPENCE, Q.C.
SABBATICAL LEAVE

A memorandum from the Dean is before the Committee recommending that Professor Spence be granted sabbatical leave commencing in September 1965 for the whole of the academic session 1965-66.

Approved.

REPORT OF THE FACULTY SPECIAL COMMITTEE ON ENROLMENT

On 17th December 1962, a Special Committee of the Faculty was appointed to study and report on certain matters in the operation of the School which might create problems in view of the anticipated substantial increase in enrolment in the foreseeable future.

The Special Committee of the Faculty made an intensive study of the matters within its terms of reference and its report was considered by the Faculty at its meetings on 19th and 20th December 1963 and 9th January 1964. The Report of the Special Committee, as amended and adopted by the Faculty, and the Faculty's recommendations arising therefrom are before your Committee.

Referred to the Sub-Committee on Projected Increase in the Numbers in the Bar Admission Course.

The Dean asked that the following recommendations arising out of the Report of the Special Committee on Enrolment be considered immediately:

1. that the size of the teaching units in the First Year should be reduced by offering three sections in the Courses in Contracts, Evidence, Land Law, Personal Property and Torts;

Approved.

2. that the allocation of the Courses to the members of the Faculty for the academic session 1964-65, subject to the power of the Dean to make changes should the need arise, should be as follows:

Contracts — Arthurs, Feltham, Linden
Evidence — Friedland, Gray, Morton
Land Law — Foote, Hefferon
Personal Property — Baxter, Friedland, Hefferon
Torts — Gray, Linden, Morton

Approved.

3. that two additional appointments to the full-time faculty be made for 1964-65;

Approved, subject to the approval of the Finance Committee.

4. that two additional secretaries should be employed on the Law School Administrative Staff as soon as possible.

Approved, subject to the approval of the Finance Committee.

TREASURER'S LECTURE TO THE LAW SCHOOL

Two Judges of the Supreme Court of Ontario have suggested that the Treasurer be asked to give a lecture to the students of Osgoode Hall Law School on the subject "The Practice of Law as a Profession as Distinct from a Business". Other approved law schools in Ontario might also wish to have the Treasurer deliver such a lecture to their students. Dean

Lederman of Queen's University Law Faculty favours the suggestion.

The question is before the Committee for consideration.

Approved in principle.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on Thursday, 16th January 1964, at 4:00 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman and Messrs. Gregory, Robins and R. F. Wilson.

ADMISSION OF STUDENT-AT-LAW

BAR ADMISSION COURSE

The following candidate having complied with the relevant Regulations, applies for admission to the Law Society as a student-at-law in the Bar Admission Course, as of 1st September 1963.

Under Bar Admission Regulations — Part II — No. 2

230. DeLuca, Armando Felice Antonio B.A. Assumption 1960;
LL.B. Osgoode 1963.

Approved.

REPORT OF THE EXAMINING BOARD

The report of the examinations held in January 1964, is before the Committee. Of the two candidates, one has passed. He is:

JAMES COLIN MACDONALD

Approved.

COMMONWEALTH TRANSFERS

Your Committee considered two applications and recommended that the applicants be required to take the Bar Admission Course.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE — Mr. Gregory

Your Committee met on Wednesday, 15th January, 1964, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman in the Chair), Harris, Howland, Keith, W. S. Martin, Slemin, Steele, Weir and R. F. Wilson.

FINANCIAL STATEMENT, 1st July to 31st December 1963

Approved.

ROLLS AND RECORDS

The Secretary reports —

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their records have been transferred to the inactive list:

A. E. Honeywell, Q.C., Ottawa	Called — 18th June 1936 Appointed Junior Judge, Carleton County, 18th March 1963.
W. D. Lyon, Toronto	Called — 29th June 1950 Appointed Judge, York County, 9th December 1963.

(2) *Deaths*

That the following former members of the Law Society have died and their records have been transferred to Past Records:

G. M. Murdoch, Waterford	Called — 17th November 1938; Died — 27th April 1963.
Kenneth Wycott Wright, Ottawa	Called — 30th January 1914; Died — 20th May 1963.
N. J. McLeod, Sault Ste. Marie	Called — 29th June 1949; Died — 23rd June 1963.
L. A. Maldaver, Q.C., Toronto	Called — 21st November 1918; Died — 13th August 1963.
B. B. Jordan, Q.C., New Brunswick	Called — 19th January 1922; Died — 10th September 1963.
The Honourable D. K. MacTavish, Q.C., Ottawa	Called — 18th November 1926; Died — 15th November 1963.
H. F. McMullen, Q.C., Toronto	Called — 16th October 1930; Died — 19th November 1963.
J. C. M. Garman, Q.C., Cobourg	Called — 25th May 1917; Died — 24th November 1963.
W. J. Aikens, Q.C., Toronto	Called — 7th February 1927; Died — 5th December 1963.
R. J. R. Russell, Q.C., Toronto	Called — 22nd February 1923; Died — 14th December 1963.
Charles C. Middlebro, Owen Sound	Called — 17th January 1924; Died — 16th December 1963.

N. N. Young, Q.C., Waubaushene	Called — 18th January 1917; Died — 17th December 1963.
W. H. Price, Q.C., Toronto (Honorary Life Member)	Called — 23rd September 1904; Died — 21st December 1963.
R. R. McMurtry, Q.C., Toronto	Called — 20th January 1927; Died — 2nd January 1964.

Noted.

The Secretary asks permission to transfer the Record Sheets of the following to Past Records:

S. C. Platus, Q.C., Timmins	Called — 18th June 1925 Magistrate.
H. R. Howitt, Guelph	Called — 20th June 1940 Magistrate.

Approved.

CHANGE OF NAME

Richard Lee Verity was admitted on the rolls and records of the Law Society as *Richard D. Verity*. He now asks that his name be changed to Richard *Lee* Verity.

Your Committee recommends that the request be granted.

COMPENSATION FUND CHARGES

On several occasions there have been discussions as to charges in connection with the administration of the Compensation Fund which might properly be charged to the Compensation Fund rather than to the Discipline Committee. Letters from Mr. M. A. Mackenzie of Clarkson Gordon & Company, from the Chairman, and from Mr. O'Brien were considered. Mr. Mackenzie's letter of 18th December 1963 reads, in part:

> "It has been suggested that the Compensation Fund be asked to bear some or all of the cost of the Discipline Committee incurred in connection with investigations and hearings relating to members of the Law Society who are charged with professional misconduct in relation to the keeping of trust funds. These costs would include some or all of the following:
>
> Salary and expenses of Mr. Anderson, the Law Society's Chartered Accountant (and salary and expenses of his assistant if and when he is hired).
>
> Fees paid to independent chartered accountants engaged to examine members' records and report on their examination to the Discipline Committee.

Costs of the court reporter engaged to record the evidence taken at hearings before the Discipline Committee.

Legal and other costs in connection with action taken by the Law Society in connection with members charged with professional misconduct in relation to the keeping of trust funds.

In our opinion it would not be proper to charge all these costs to the Compensation Fund. It is possible, however, that an argument could be made for charging the following to the Compensation Fund:

(1) Mr. Anderson's salary and expenses. Mr. Anderson was engaged by the Law Society in the first instance to do spot audits. It was hoped that as a result of his engagement as the Law Society's auditor and performing a series of spot audits of practising members of the profession, the incidence of misappropriation of clients' trust funds would decrease and in the long run there would be a substantial reduction in the claims against the Compensation Fund. Accordingly there is some justification for charging all or a portion of Mr. Anderson's salary against the Fund.

(2) While the main content of any report and evidence given as a result of an investigation may relate to the problem of establishing the facts necessary for the Discipline Committee to reach a decision, portions of the report and the evidence may be of considerable assistance in establishing the amounts of claims against the Fund. In such cases it may be appropriate to charge the Compensation Fund with a portion of the costs of the investigation and the hearing before the Discipline Committee.

Provided that the necessary approvals are obtained for such charges being levied against the Compensation Fund, we see no reason why this handling would not be proper. We do not know whether this matter should be referred to the membership at large or not. Charging these items to the Compensation Fund may increase the annual charges to the Fund by $15,000. to $25,000. Other costs related strictly to the hearings before the Discipline Committee, whether leading to disciplinary action or not should, in our view, be charged to the Discipline Committee."

Your Committee recommends that the policy as outlined by Mr. Mackenzie be approved and put into effect forthwith; and that the Law Society apply for an appropriate amendment to The Law Society Act.

IRON FENCE

Mr. Heeney reports that the iron fence is deteriorating rapidly.

Your Committee has been aware for more than five years that the fence is in need of attention, but in view of the considerations in connection with the proposed widening of Queen Street and other changes in the area, your Committee has directed and again directs that this matter stand.

REVISION OF RULES — Finance Committee

Mr. R. F. Reid, Q.C., is presently attempting a complete redrafting and revision of Rules. He asked for the guidance of the Finance Committee on certain matters of policy, and at its meeting on 16th October your Committee made recommendations on the following four subjects:

(1) Fees
(2) Suspension for non-payment of fees
(3) Re-admission to practice after a period of non-practice.
(4) Estimates

These statements of policy were referred to Mr. Reid to enable him to complete the revision of the Rules as they affect the Finance Committee.

At its meeting on the 13th November 1963 the Committee directed that this matter stand to the next meeting. Copies of the revised rules and other relevant material have been sent to all members of the Committee.

Your Committee recommends that the draft Rules be approved and submitted to the Special Committee on Revision of Rules.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

1963	
November 26th	Barristers' Lounge, 4-6 p.m. — Reception for the Osgoode Hall Law Journal staff and guests.
December 19th	Registrar, S.C.O.'s staff Christmas Party — Students' Lounge and Convocation Hall — 5-11 p.m.

1964

January 24th	Osgoode Hall Legal and Literary Society — Third Year Party — Convocation Hall.
January 27th	Henry L. E. White, Chairman, Model Parliament Committee, Osgoode Hall Law School, asks permission to use Convocation Hall for the Law School's Model Parliament, 7:30 — 10 p.m.; also two seminar rooms in the Law School for a short time prior to the Model Parliament.
January 29th	County of York Law Association — Dinner meeting in Convocation Hall — Combined Annual and Legal Aid Dinner.
February 7th	Osgoode Hall Legal and Literary Society — Second Year Class Party — Convocation Hall.
February 14th	Osgoode Hall Legal and Literary Society — First Year Class Party — Convocation Hall.
February 22nd	Osgoode Hall Legal and Literary Society — Phi Delta Phi Formal Dance — Convocation Hall.
February 29th	Osgoode Hall Legal and Literary Society — Phi Delta Phi Initiation Dinner — Convocation Hall.
April 29th	John Howard Society — Annual Meeting — Convocation Hall and reception rooms.

Approved.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE

Mr. O'Brien, Vice-President, presented the Report of the Discipline Committee:

RE: JOHN WILLIAM DICK, Student-at-law

The Discipline Committee reported that after due inquiry it found the student-at-law guilty of professional misconduct and conduct unbecoming a student-at-law in that he—

1. while serving his solicitor under articles of clerkship rendered legal services to persons who were not clients

of that firm and in so doing used the firm's name and letterhead without the firm's knowledge or consent;

2. while serving his solicitor under articles of clerkship received payment for legal services he rendered without disclosing to his principal or to his firm that such services had been rendered and without accounting to his principal or to his firm for such payments.

and recommended that his service under articles be repeated over the full period necessary to enable him to present proof of proper completion of the necessary term, and that he be not permitted to sit for further examinations in the teaching period of the Bar Admission Course earlier than the term commencing in September 1965 and then only on the filing of proper proof of service under articles prior thereto.

The Committee further reported that this was the first instance of such a complaint being investigated, and in the event of a similar situation being brought to its attention at some future date a more serious view of the conduct would be taken.

Moved by Mr. O'Brien, seconded by Mr. Robins, that the Report be adopted.

The student attended with his counsel, Mr. A. R. Paterson, who addressed Convocation.

The motion was carried.

RE: COMPENSATION FUND

Mr. O'Brien, Vice-Chairman, presented a Report covering the administration of the Compensation Fund from 30th June 1963 to 31st December 1963:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA IN CONVOCATION ASSEMBLED:

The DISCIPLINE COMMITTEE begs leave to report:

COMPENSATION FUND

FINANCIAL SUMMARY

From 30th June 1963 to 31st December 1963		
Balance in Fund 30th June 1963		$216,802.66
RECEIPTS		
Fees	$205,110.00	
Investment Income	3,281.56	
Recoveries	2,345.00	
Profit on Bonds Matured	100.00	210,836.56
		427,639.22

DISBURSEMENTS		
Applications	108,485.35	108,485.35
BALANCE IN FUND 31ST DECEMBER 1963		$319,153.87

DETAILS

During the period 1st July 1963, to 31st December 1963, your Discipline Committee considered applications for grants from the Compensation Fund in respect of the defalcations of F. C. Brown, L. A. Cavasin, R. J. Corkery, A. R. Douglas, R. E. Fairs, M. R. J. Heffer, G. J. Majic, R. F. X. Marentette and John Velanoff. In each case where a grant was made your Committee was satisfied that a solicitor and client relationship existed and that the loss resulted from misappropriation by the solicitor. The applications were disposed of as follows:

APPLICATIONS PAID — 1st July 1963 to 31st December 1963

Re: *F. C. Brown* (disbarred 17th May 1963)	
Five claims	$46,889.84
Re: *L. A. Cavasin* (disbarred 27th June 1963)	
Two claims	275.00
Re: *R. J. Corkery* (disbarred 4th April 1963)	
One claim	101.60
Re: *A. R. Douglas* (died 12th November 1963)	
One claim	10,795.06
Re: *R. E. Fairs* (disbarred 12th April 1962)	
Four claims	12,560.29
Re: *M. R. J. Heffer* (disbarred 20th September 1963)	
Two claims	5,200.00
Re: *G. J. Majic* (disbarred 14th December 1962)	
One claim	2,204.30
Re: *R. F. X. Marentette* (disbarred 28th June 1962)	
Three claims	8,606.00
Re: *John Velanoff* (disbarred 17th November 1961)	
Three claims	21,853.26
Total grants paid during the period 1st July 1963, to 31st December 1963	$108,485.35

APPLICATIONS REFUSED AND WITHDRAWN 1st July 1963, to 31st December 1963	5
RECOVERIES FOR THE COMPENSATION FUND 1st July 1963, to 31st December 1963	$2,345.00

OUTSTANDING APPLICATIONS TO 31ST DECEMBER 1963

Applications for payment out of the Compensation Fund totalling $1,503,208.52 have been submitted to 31st December

1963, but have not yet been disposed of. They relate to the following former solicitors:

F. C. Brown	$ 54,466.58
L. A. Cavasin	52,435.14
Mervyn Cohen	5,000.00
R. J. Corkery	9,885.00
A. R. Douglas	800.00
N. M. Dunn	10,813.96
R. E. Fairs	5,270.68
D. R. Featherstone	23,485.00
H. B. Galloway	2,697.06
K. A. Glancy	30,095.20
J. R. Grummett	817.01
Murray Gruson	292,219.31
A. D. Hall	855.63
M. R. J. Heffer	31,025.91
J. B. Lavis	1,000.00
G. S. MacLean	228,397.54
G. J. Majic	168,270.54
R. F. X. Marentette	21,736.59
R. N. Meakes	26,180.89
H. A. Newall	1,400.00
B. L. Ogryzek	5,200.00
B. J. S. Pitt	31,424.26
G. W. Poole	300.00
Samuel Resnick	148,990.28
J. M. Reycraft	1,524.93
D. L. Shanoff	10,000.00
E. H. Slater	237,511.52
W. H. Swayze	81,434.83
John Velanoff	12,253.94
R. D. Wills	7,716.72
	$ 1,503,208.52

It is likely that a proportion of these applications will fail to comply with the requirement of The Law Society Act, but it is impossible to tell what proportion will not result in grants from the Fund.

THE REPORT WAS RECEIVED

CONVOCATION ADJOURNED AT 1 P.M.

The Treasurer and Benchers entertained at luncheon the Honourable Mr. Justice Aylesworth and the Honourable Mr. Justice Brooke.

Convocation resumed at 2 p.m., a quorum being present.

SPECIAL COMMITTEE ON THE ADMINISTRATION OF THE COMPENSATION FUND, AND RELATED QUESTIONS OF PROFESSIONAL CONDUCT, SOLICITORS' ACCOUNTS, AND PUBLIC RELATIONS

Mr. John J. Robinette, Chairman, presented the Report of the Special Committee on the Administration of the Compensation Fund, and Related Questions of Professional Conduct, Solicitor's Accounts and Public Relations:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA IN CONVOCATION ASSEMBLED:

The SPECIAL COMMITTEE ON THE ADMINISTRATION OF THE COMPENSATION FUND AND RELATED QUESTIONS OF PROFESSIONAL CONDUCT, SOLICITORS' ACCOUNTS, AND PUBLIC RELATIONS begs leave to report:

At the meeting of Convocation on the 19th October 1962 it was resolved that a Special Committee on the Administration of the Compensation Fund and Related Questions of Professional Conduct, Solicitors' Accounts, and Public Relations be appointed consisting of Messrs. Robinette, G. A. Martin, O'Brien, R. F. Wilson, Sheard and Wright.

Your Special Committee met on 21st June 1963, the following members being present: Messrs. Robinette (Chairman), G. A. Martin, O'Brien, Sheard, R. F. Wilson, and the Treasurer; and on the 23rd December 1963, the following members being present: Messrs. Robinette (Chairman), G. A. Martin, O'Brien, Sheard, R. F. Wilson, Wright, and the Treasurer.

ABOLITION OF TRUST ACCOUNTS

Your Committee considered correspondence from members of the profession which suggested the abolition of trust accounts or the limiting of the amount to be carried in trust accounts, and other restrictions which, if adopted, might inconvenience the great majority of honest lawyers. It was suggested during consideration that members of the profession are prepared for far greater supervision and are willing to put up with some inconvenience in an effort to solve the problem of defalcations and the resultant adverse publicity.

Your Special Committee is of the opinion that these suggestions do not provide the answer to the problem, and recommends that no action be taken on them at this date.

SPOT AUDITS

Your Committee considered correspondence from members of the profession and from two County Law Associations recommending the appointment of more auditors and the extension of the policy of spot audits. This policy is already in effect, and the Society is presently looking for a second auditor for its permanent staff. Your Committee is of the opinion that the Law Society might well consider five auditors as part of the Secretary's staff.

Your Committee recommends that five leading firms of auditors be retained to do spot audits in three larger cities; the audit to be a spot check rather than a regular audit, and the Committee recommends that Mr. R. L. Anderson, C.A. be asked to draft instructions as to what the auditors should look for and a standard report to be made to the Society. On the instructions to the auditor there would be included —

> "This information is to be given to no one but the Law Society of Upper Canada."

If Convocation approves of this resolution it is estimated that these investigations would be proceeded with as soon as possible — probably late in March. The Discipline Committee will be organized so that it may meet immediately to consider reports by the auditors, lay charges where warranted, investigate the charges, and make recommendations to Convocation forthwith.

COMPULSORY BONDING

Your Committee considered letters from members of the profession, including two Benchers, with reference to the compulsory bonding of all practising solicitors in some form. The Committee was informed that Mr. R. F. Wilson and Mr. Jarvis, the Deputy Secretary, were getting further information with reference to this matter.

Your Committee is of the opinion that compulsory insurance or bonding is the last resort in an attempt to solve the problem of defalcations; and recommends that this matter stand for further information and a specific proposal from an insurance company or group of companies.

SOLICITOR'S PRACTISING CERTIFICATE — AUDITOR'S CERTIFICATE

The following resolution was made by Mr. Isadore Levinter at a joint meeting of the Discipline Committee and Professional

Conduct Committee on 15th November 1963, and was referred to this Commitee:

> That each member of the Society who receives clients' funds be required as a condition of obtaining an Annual Practising Certificate to file with the Society, signed by a Chartered Accountant, a certificate that a Chartered Accountant has examined the books and records of the solicitor and that they comply with the rules of the Society: and
>
> 1. that the solicitor keeps books and records as required by the Society;
> 2. that such books are posted up to date which record separately trust account receipts and disbursements;
> 3. that there is a monthly reconciliation of the trust banking account which appeared to be in balance on the 31st of October;
> 4. that the solicitor maintains a record and list of liabilities to clients of trust funds and a comparison of this list with the bank balance;
> 5. that neither the solicitor's bank trust account nor any of the accounts of trust money held for clients appeared to be overdrawn.
>
> AND that in default of the filing of such certificate the solicitor may be suspended.
>
> AND that the Rules of the Society be amended accordingly.

Your Committee recommends that Mr. Jarvis, the Deputy Secretary, discuss with the Secretary of the Institute of Chartered Accountants of Ontario and Mr. Michael Mackenzie of Clarkson, Gordon & Company, all the problems involved in this policy including a new form of certificate, and in the policy of spot audits as recommended above.

WORK OF THE DISCIPLINE COMMITTEE

Your Committee reviewed the burden of work on members of the Discipline Committee, particularly in the last few years, and more particularly since September 1963.

Your Committee recommends that the Discipline Committee be asked to draft a new Rule to authorize the Chairman or Vice-Chairman to designate a Committee of not less than three members of the Committee to investigate any particular matter.

Moved by Mr. Robinette, seconded by Mr. O'Brien, that the report be adopted.

Carried.

SPECIAL COMMITTEE ON ELECTION OF BENCHERS

Mr. R. F. Wilson, Chairman, presented the Report of the Special Committee on Election of Benchers:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED:

The SPECIAL COMMITTEE ON ELECTION OF BENCHERS begs leave to report:

A Special Committee on Election of Benchers was first appointed by the Treasurer in May 1961. The present Committee was re-constituted by the Treasurer in September 1963, with the following terms of reference:

> "To examine and report upon the present provisions and practices concerning the election of benchers, and to make recommendations thereon."

The members appointed by the Treasurer to the Special Committee are: Mr. R. F. Wilson, Q.C., Chairman, and Messrs. C. F. H. Carson, Q.C., J. J. Robinette, Q.C., and A. R. Jessup, Q.C., with Mr. J. D. Arnup, Q.C., Treasurer, assisting in its delibertions.

A memorandum was prepared by the Treasurer setting out certain items which he felt might be considered by the Committee with respect to the election of benchers. The Committee was not restricted to these items. At the request of Convocation, this memorandum was forwarded to all the benchers, asking them for their comments.

Your Committee met on 18th October 1963, and again on 14th November 1963, to consider the Treasurer's memorandum and review the correspondence received from eight benchers. The Committee had before it the relevant sections of The Law Society Act, R.S.O. 1960, Chapter 207, The Rules of the Law Society of Upper Canada and extracts from Statutes in Canada, England, Scotland, Australia and New Zealand with respect to the election of benchers.

At the present time there are 2,802 members of the Law Society in Metropolitan Toronto, plus 76 members within a radius of 10 miles of Metropolitan Toronto, bringing the total number of members in or near Metropolitan Toronto to 2,878. In Ontario there are 5,685 members of the Society, so that the distribution of members in the Province and those in and around Metropolitan Toronto is about even.

The Bench as presently constituted consists of 15 benchers elected from Toronto and 14 benchers elected from the rest of the Province.

It is the opinion of your Committee that one of the most serious problems to solve is how to ease the burden of work which now falls upon Toronto benchers. This arises primarily because of the great increase in the number of matters required to be processed by the Discipline Committee and the ever increasing number of applications for payment out of the Compensation Fund which also have to be dealt with by this same Committee. Your Committee is satisfied that having regard to the limitations of time and distance the out of town benchers have faithfully discharged their duties as the members of the various committees of the Society and to ask them to do more would be unfair and inequitable. Your Committee has therefore concluded that the only way in which the workload can be reduced to reasonable proportions is by increasing the number of Toronto benchers.

Your Committee therefore recommends that the number of elected benchers be increased from 30 to 32 and of these 32 benchers 17 be elected from Metropolitan Toronto and 15 from the rest of the Province. Metropolitan Toronto shall be deemed for the purposes of this report to embrace the geographical area occupied by "The Municipality of Metropolitan Toronto."

The voting for the election of benchers will proceed as before with each member of the Society having the right to vote for the election of 32 of the nominees without regard to their place of residence. The 17 persons in the Metropolitan Toronto area and the 15 persons from the rest of the Province who have the highest number of votes in these two areas shall constitute the elected body of 32 benchers.

Your Committee recommends that in the future retired Judges of the Supreme Court of Canada, the Exchequer Court of Canada and the Supreme Court of Ontario should not be ex officio benchers of the Society.

The Treasurer had suggested in his memorandum that a bencher became a life bencher after serving 15 years even if he has not been elected at four quinquennial elections. Your Committee recommends that no alteration should be made to the requirement that a bencher be elected at four quinquennial elections before he becomes an ex officio bencher of the Society.

Your Committee recommends that any person who has held the office of Treasurer, should be an ex officio bencher of the Society.

Your Committee considered an IBM Report with respect to the use of a business machine in the operation of counting ballots. It would appear that the use of a punched card format to tabulate votes under such a system would save the Society both time and money. Your Committee recommends that an IBM business machine be used in the counting of ballots.

Your Committee recommends that nominations for benchers should continue to be signed by at least ten persons entitled to vote, but that in addition the written consent of the nominee, agreeing to become a candidate, should be incorporated into the nomination form.

Mr. Wilson read a letter of 20th November 1963 from Mr. Fennell, and a letter of 9th December 1963 from Mr. Jessup.

Moved by Mr. R. F. Wilson, seconded by Mr. Robinette, that the Report be adopted.

Moved in amendment by Mr. Robins, seconded by Mr. Ford, that the recommendation of the Special Committee with reference to ex officio benchers elected at four quinquennial elections be struck out and the following substituted therefor:

> "Your Committee recommends that every person who has been elected a bencher at three quinquennial elections and has served fifteen years as a bencher, shall ex officio be a bencher of the Society."

The amendment was carried.

Moved in amendment by Mr. Wright, seconded by Mr. Chitty, that the Report be adopted including the amendment referred to immediately above — except those paragraphs referring to the increase in the number of elected benchers from 30 to 32 — and that this matter be referred back to the Special Committee for further consideration and report.

The amendment was carried.

THE MOTION AS AMENDED WAS CARRIED.

LIBRARY COMMITTEE — Mr. Steele

Your Committee met on 15th January 1964, the following members being present: Messrs. Steele (Chairman), Martin (Vice-Chairman), Common, Harris, McCulloch, Maloney, Slemin and Strauss.

MISSING BOOKS

Your Committee reports that it approved the purchase of certain books including books needed to replace copies taken from the library without permission, the cost of which was approximately $80.00.

LIBRARY EQUIPMENT

Your Committee recommends the purchase for the library offices of two chairs at a cost of about $45.00 each and three book-carts at a cost of about $75.00 each.

LIBRARY DISCARDS

Your Committee recommends that the following part sets of books of no value and no further use in the library be discarded:

Hazell's Annual and Almanac — 1886-1922
Commercial Handbook of Canada — 1906-1911
Heaton's Annual — 1912-1920

THE REPORT WAS ADOPTED

REPORTING COMMITTEE — Mr. Wright

Your Committee met on Wednesday, 15th January 1964, the following members being present: Messrs. Wright (Chairman), O'Brien (Vice-Chairman), Common, Harris, Maloney, W. S. Martin, McCulloch and Strauss.

REASONS FOR JUDGMENT

In a letter of 20th March 1963 Mr. W. B. Common, Q.C., Deputy Attorney-General, informed the Secretary that during the debate on the Departmental estimates, Department of the Attorney-General, it had been suggested that in all cases where Reasons for Judgment have been delivered, copies of the Reasons should be filed in the office of the Clerk or Registrar of the appropriate Court in order that they might be available to the litigants without cost.

At its meeting on the 16th October 1963 your Committee approved in principle of a copy of any written Reasons being filed with the Record; and recommends the continuation of the present system of the Law Society providing copies on order. Mr. Common agreed to discuss the matter further with the Attorney-General, and the Committee recommended that the matter be further considered when he reports.

At its meeting on the 15th January 1964 Mr. Common reported that the Attorney-General approved of a policy which would apply to the Supreme Court of Ontario and the County and District Courts of Ontario whereby copies of judgments, including oral judgments, will be filed with the Registrar of the relevant Court and attached to the Records. Litigants may then examine the Record, read the Reasons, make notes or copy if they so desire.

The Society's policy of supplying copies of Reasons for Judgment on order will be continued.

REPORTING — FREE LIST

In its Report of the 13th November 1963 the Committee recommended that the Secretary ascertain the necessity of continuing distribution of the Ontario Reports to those persons designated under old Rule 68. A memorandum of the Secretary of the 8th January, and a letter of 10th January 1964 from the Chairman were considered.

Your Committee recommends that the present policy be continued, and that the free list as checked be approved; and that the policy be considered each year in the month of January.

REPORTING, 1963

The Canada Law Book Company Limited, printers of the Ontario Reports, has given to the Chairman the following information with reference to Reporting in 1963:

> "In the two volumes of Ontario Reports published during 1963 we find there are 1472 pages compared with the 1470 pages (combined total) in the volumes of Ontario Reports and Ontario Weekly Notes published in 1962.
>
> We also published 163 pages of Minutes of Convocation compared to 142 pages published in 1962.
>
> During 1963 we distributed 5405 copies of Ontario Reports to individual names on the Law Society's list compared to 5366 copies during 1962.
>
> The amount charged to the Law Society for the Ontario Reports during 1963 was $35,750.19 compared to $34,981.18 in 1962. During 1963 both the cost of paper and wages increased so that the cost to the Law Society increased from $12.50 per page and $16.50 per page to $13.27 per page and $17.42 per page respectively.
>
> We feel that our special offer with regard to binding Ontario Reports 1963 and supplying Ontario and Domi-

nion Statutes met with a very substantial acceptance and we actually supplied 1,180 copies of bound volumes, of both 1963 O.R. Vol. 1 and Vol. 2. Present indications are that approximately the same number of people have taken advantage of this offer for 1964."

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE — Mr. Ball

Your Committee met on 17th January 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Martin, Raney, Sanders, Seaman, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following associations which failed to file their annual returns for the year 1962 within three months from 15th January 1963 have now filed their returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that grants be made to them as follows:

Lindsay	$540.00
Nipissing	577.51
Peel	861.75

Your Committee reports to the Finance Committee that the following county law associations have filed their annual returns for the year 1963 in accordance with Rule 62 and have complied in all other respects with the requirements of the Rules and recommends that grants be made to them as follows:

Bruce	$622.00
Dufferin	600.00
Grey	900.00
Perth	900.00

ANNUAL SCHEDULE

Your Committee reports that the annual schedule of county and district library information has been completed and is being distributed to the associations.

REVISION OF RULES

Your Committee also reports that the revision of the rules relative to County Libraries is in what may be termed semifinal form. Certain revisions were passed this morning by the

Committee and copies of the revision will be sent out to the various members and will be considered at the next meeting of the Committee.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE — Mr. Seaman

Your Committee met on Friday, 17th January 1964, the following members being present: Mr. R. L. Seaman (Chairman), Mr. R. D. Steele, (Vice-Chairman) and Messrs. Ball, Creighton, Fennell, Ford, W. S. Martin, Raney, Sanders, Slemin and Strauss.

FIRST CANADIAN ASSOCIATION FOR ASSISTANCE OF PERSONS INJURED BY ACCIDENT, INC.

Your Committee had considered correspondence from the Department of the Provincial Secretary with respect to the above Association's application for incorporation in Ontario.

Messrs. Seaman, Levinter, and Strauss were appointed a Committee to study the matter and take whatever action they considered necessary.

In October 1963, the Secretary wrote the Provincial Secretary setting out the Sub-Committee's recommendations which opposed the application for incorporation.

On 18th November 1963 the Director of Companies replied stating that it had been decided that it would not be in the public interest to incorporate the above Association.

LAWYERS' ASSISTANCE

At the meeting of the Committee on the 15th November 1963, the Committee considered a letter from the Treasurer with reference to an organization called "Lawyers' Assistance."

A problem was raised as to whether the firm drew applications for letters patent, by-laws, minutes, etc. for members of the public.

The Committee requested that the Secretary investigate "Lawyers' Assistance" and ascertain whether it confined its services to the legal profession.

Lawyers' Assistance wrote the Secretary on 14th January 1964 confirming that it is a secretarial service confined to members of the profession.

SUB-COMMITTEE ON TRUST COMPANIES

Pursuant to the recommendation of the Committee at its meeting on 19th April 1963, the Sub-Committee on Trust Companies met with the Senior Officers of The Trust Companies Association, as requested by the President of the Association, Mr. W. Leo Knowlton, Q.C.

It was agreed that the Trust Companies Association of Canada (Ontario Division) was to prepare and present to the Sub-Committee on Trust Companies, an agreement formulating a code of ethics between Trust Companies and the legal profession with respect to trust functions and the drawing of wills. This agreement was confirmed in a letter written by the Secretary to the Executive Director of The Trust Companies Association dated 22nd May 1963.

At the meeting of the Unauthorized Practice Committee on 15th November 1963, the agreement not having been received, the Secretary was instructed to write to all the Trust Officers of The Trust Companies Association of Canada, who had met with the Sub-Committee on 16th May 1963, and inquire as to the Association's progress in drafting an agreement.

The Secretary was also instructed to inform the Senior Officers that the Committee would proceed to deal with its report at its next meeting on 17th January 1964, if it was not in receipt of the agreement.

Letters of reply were received from:

(1) Ernest T. Godwin, General Manager, Crown Trust Company, dated 27th November 1963;

(2) J. E. Taylor, President and General Manager, The Canada Trust Company, dated 5th December 1963;

(3) E. F. K. Nelson, Executive Director, The Trust Companies Association of Canada, dated 2nd January 1964.

The correspondence was considered by the Committee.

The Committee, not having received the agreement, instructed the Secretary to prepare a synopsis of Statute Law in other Provinces with respect to trust functions and the drawing of wills, and forward this information to all the Committee members before its next meeting.

UNAUTHORIZED PRACTICE GENERAL

The Committee considered several matters which have been or are under investigation. In one matter your Committee recommended that a further opinion from counsel be obtained and that counsel investigate another matter and take whatever action he considered necessary.

Committee Membership

Your Committee recommends that Mr. W. S. Martin, Q.C., be added to the Committee.

THE REPORT WAS ADOPTED

CONTINUING EDUCATION COMMITTEE — Mr. Robins

Your Committee met on 10th December 1963, the following members being present: Messrs. Robins (Chairman), Williston (Vice-Chairman), Howland and O'Brien; and on the 16th January 1964, the following members being present: Messrs. Robins (Chairman), Howland and O'Brien.

CONTINUING EDUCATION LECTURES 1964—TAXATION

In previous Reports your Committee has recommended a series of lectures on Taxation for 1964. The following program has now been arranged:

INCOME TAX

Date	Subject	Lecturer
Friday, March 13th		
9:15 a.m.	—Introduction	
9:30-10:30 a.m.	—The Present Position as to Corporate Distributions	—H. H. Stikeman, Q.C.
10:30-11:30 a.m.	—Corporate Re-organization	—John G. McDonald, Q.C.
11:45-12:45 p.m.	—Purchase and sale of a business (including allocation of purchase price; inventory, goodwill; accounts receivable; loss carry-over)	—Stuart D. Thom, Q.C.
2:00- 3:00 p.m.	—Employee and Executive Compensation (including employee stock option plans; pension plans; employee profit sharing plans; retirement savings plans and deferred profit saving plan)	—R. M. Sedgewick, Q.C.
3:00- 3:45 p.m.	—Taxation of Non-residents (including withholding tax; management fees and royalties)	—W. A. Macdonald, Barrister
4:00- 4:30 p.m.	—Associated Corporations	—Paul Henry, Q.C.

Saturday, March 14th		
9:30-10:30 a.m.	Income tax aspects of family transactions (including gifts, alimony and maintenance payments, joint ownership and personal corporations)	—K. A. Foulds, Q.C.
10:30-11:15 a.m.	Capital Gains vs Income	—Ronald Robertson, Director, Canadian Tax Foundation
11:30-12:00 noon	Taxation of Partnerships and Joint Ventures	—R. Bredin Stapells, Q.C.
12:00-12:45 p.m.	Tax Appeals	—W. R. Latimer, Barrister

Buffet Luncheon

SALES TAX

Date	Subject	Lecturer
Friday, March 20th		
9:30-10:15 a.m.	Federal Sales Tax	—David H. Fricker, Barrister
10:15-10:45 a.m.	Ontario Retail Sales Tax	—Alex D. Givens, Barrister

ESTATE TAX AND SUCCESSION DUTY

11:00-12:00 noon	Property taxable under the Estate Tax Act and the Ontario Succession Duty Act — Part I	—F. E. LaBrie, Barrister
12:00- 1:00 p.m.	Property taxable under the Estate Tax Act and the Ontario Succession Duty Act — Part II	—Wolfe D. Goodman, Barrister
2:15- 3:15 p.m.	Valuations of Property	—George Ovens, C.A.
3:15- 4:15 p.m.	Deductions and Exemptions	—I. M. B. Jameson, Barrister
Saturday, March 21st		
9:30-10:15 a.m.	Computation and Payment of Estate Tax	—W. I. Linton, Administrator of Estate Tax
10:15-11:00 a.m.	Computation and Payment of Ontario Succession Duties	—W. D'Arcy Blair, Q.C.
11:15-12:00 noon	Foreign Estates	—J. K. M. Laird, Q.C.
12:00-12:45 p.m.	Tax Aspects of Estate Planning — Suggested Methods of Minimizing Liability	—J. T. Gow, Q.C.

Buffet Luncheon

Your Committee recommends that these lectures be held on the 13th and 14th March, and the 20th and 21st March 1964; that the registration fee be $15.00; that the usual buffet luncheons be given on both Saturdays; and that an announcement be given in the Ontario Reports as soon as possible.

Honorarium

Your Committee recommends that no honorarium be paid to a member of the profession in practice in Ontario.

Guests

Your Committee recommends that an invitation be extended to the Institute of Chartered Accountants of Ontario inviting 50 members, to be selected by the Institute, to be allowed to register for this course.

THE REPORT WAS ADOPTED

Professional Conduct Committee

At the request of the Chairman, Mr. O'Brien, Vice-Chairman, presented the Report dated 14th November 1963 which was presented to Convocation on the 15th November 1963 and directed to stand to this meeting; and the Report dated 16th January 1964:

Your Committee met on Thursday, 14th November 1963 the following members being present: Messrs. Slemin (Chairman), Fennell, Howland, Strauss.

Mr. R. F. Reid, Q.C. was present by request.

Rulings of the Professional Conduct Committee

At the meeting of Convocation on 18th October your Committee presented Rulings 1-30, and recommended their adoption by Convocation. It was moved in amendment that Ruling 30 be referred back to the Committee for consideration of the suggestions made by Messrs. Fennell and Williston.

Your Committee recommends the adoption of Ruling 27 as amended to read as follows:

Splitting Fees: Unauthorized or unqualified persons

Any arrangement whereby solicitors directly or indirectly share, split or divide fees with conveyancers, notaries public, students, clerks or other persons who bring or refer business to the solicitor's office is highly improper and constitutes professional misconduct. It is similarly improper for a solicitor to give any financial or other reward to such persons for referring business.

Thus an arrangement between a solicitor and a conveyancer to divide fees on applications for Probate or Administration is improper whether both participate in the work involved or not.

Similarly, any arrangement whereby in return for a flat fee or for part of the fee charged a solicitor permits his name to be placed on such applications which had been prepared by the conveyancer is equally improper.

Section 25 of The Solicitors Act prohibits an Ontario solicitor from acting for a person not qualified as a solicitor in Ontario. Thus a solicitor may not act for an unqualified person, whether that person is in Ontario or outside Ontario. A solicitor may not, therefore, share a fee with a lawyer qualified to practise in, say, Quebec or the United States but not qualified to practise in Ontario.

It should be borne in mind that the Act provides severe penalties for the infraction of this rule. For such infraction the Ontario solicitor may be struck off the rolls and the "unqualified" person may be committed to jail for up to one year.

Your Committee recommends the adoption of *Ruling* 30, as amended, to read as follows:

FEES WHERE TWO OR MORE MEMBERS ACT IN ONE INTEREST:

1. In any matter, whether civil or criminal, in which one member of the Society consults or retains another member, or in which two or more members are consulted or retained, it is:
   (a) proper for each to charge for work that he has done in the matter; but
   (b) improper for either to split or share his fee with the other or, directly or indirectly, to remit any part of such fee to the other or to give, directly or indirectly, any financial or other reward to another member or any other person in connection with the referral of the matter to him.
2. It is furthermore improper:

(a) for a member to hold himself out as willing to split or share fees with other members or give payment or reward of any kind to other members or to other persons for referring matters to him;

(b) for members to suggest or require that such be done by other members.

3. In a matter in which two or more members have acted in the same interest, an account should be sent to the client showing the total amount charged by and to be paid to each member so that the client will be aware that a fee is being charged by each member and the amount of such fee.

(NOTE: The Committee draws attention to the prohibition in The Solicitors Act against sharing fees with unqualified persons. This includes solicitors of the United States or of other provinces who are not qualified to practise in Ontario. (See Ruling 27))

Your Committee recommends the adoption of a new *Ruling* 31 as follows:

TARIFF OF FEES:

The following statement of policy was proposed by the Discipline Committee and was adopted by Convocation in October 1957:

1. That is is ethical for County Law Associations to establish a tariff of fees;
2. That an inflexible tariff which does not in itself allow for deviation in proper cases, should be discouraged;
3. That the Discipline Committee is not prepared to recommend enactment of any rule providing that a mere breach of a tariff is in itself a disciplinary offence;
4. That holding himself out or allowing himself to be held out as prepared to do professional business at fees less than the appropriate scale prevailing in the area in which he practises, is unprofessional conduct on the part of a solicitor;
5. That it is not practicable for the Discipline Committee in the first instance to investigate alleged breaches of the principle set out in paragraph 4, but that such breaches should first be investigated by the local association, which in its discretion could make

a report to the Discipline Committee setting out the facts ascertained by the Association.

Your Committee met on Thursday, 16th January 1964, the following members being present: Mr. O'Brien (in the Chair), and Messrs. Fennell, Howland, Sheard and Strauss.

Mr. R. F. Reid, Q.C., was present by request.

RULINGS OF THE PROFESSIONAL CONDUCT COMMITTEE

At the meeting of Convocation on the 15th November 1963 the Professional Conduct Committee presented a Report dated 14th November 1963 and containing recommendations with reference to Ruling 27, Ruling 30, and a new Ruling 31. Following a motion to adopt the Report it was moved in amendment and carried that consideration of the Report be deferred to the January meeting of Convocation, and that a copy be sent to all Benchers.

The motion was carried.

RULING 27

Your Committee recommends that Ruling 27, as it appears in the Committee's Report dated 14th November 1963, be amended by striking out the word "highly" in the fourth line of the first paragraph, and striking out the last two paragraphs.

RULING 30

Your Committee recommends that Ruling 30, as it appears in the Commitee's Report dated 14th November 1963, be amended by striking out the Note, and otherwise the Ruling stands for consideration of Convocation.

RULING 31

Your Committee recommends no change in this Ruling as it appears in the Report of 14th November 1963.

PUBLICATION OF PROFESSIONAL CONDUCT BOOK

Your Committee considered certain proposals made by law book publishing companies, and recommends that consideration stand for further information.

Your Committee recommends, however, that Rulings 1 - 31, except Ruling 30, be printed forthwith in the Ontario Reports.

Moved by Mr. O'Brien, seconded by Mr. Howland, that the

Reports be adopted with the exception of Ruling 30 and the paragraphs referring thereto.

Moved in amendment by Mr. Ball, seconded by Mr. Sanders, that Ruling 31 be amended by adding thereto the final paragraph of the statement of policy concerning county tariffs as adopted in 1957.

The amendment was lost.

The motion was carried.

METROPOLITAN TORONTO COURT HOUSE

Mr. R. F. Wilson reported that Metropolitan Toronto Council has awarded the contract for the construction of the Court House on University Avenue to Pigott Construction Company Limited in the amount of $11,630,000.00, being the lowest tender received. Mr. Wilson stated that preliminary work by the Construction Company had already started on the University Avenue site.

THE REPORT WAS RECEIVED

PRESENTATIONS

Mr. S. C. Biggs, Q.C., President, on behalf of The Lawyers Club, presents two reels and one record of Colonel J. Keiller Mackay's address to The Lawyers Club on "The Incomparable Persuasive Powers of Shakespeare".

Mr. Thomas J. Day, Q.C. through the Treasurer, presents a portfolio of caricatures entitled "McConnells Vanity Fair" published in Toronto in 1912.

Ordered that these presentations be received with thanks, and that the Secretary write to the donors.

CORRESPONDENCE

The Treasurer read the following correspondence:

Letter from J. R. Kimber, Q.C., Chairman, the Attorney-General's Committee on Security Legislation, with reference to a submission by the Law Society.

The Treasurer reported that he had been in touch with the Secretary of the Ontario Section of the Canadian Bar Association and was informed that two Committees of the Association are actively interested in this subject and will make representations. In consideration of the fact that representations on behalf of the legal profession will therefore be made, Ordered that the Law Society take no action.

Letter from George W. Edmonds, Q.C., Secretary, Ontario Branch, C.B.A., with reference to the luncheon to be held on Saturday, 8th February.

The Secretary was authorized to make the usual arrangements for the luncheon given by the Law Society, and for the reception previous thereto; the luncheon to be followed by the address of the Treasurer to the members.

HONORARY LIFE MEMBERS

The Treasurer referred to correspondence from those members who have received their Certificate of Honorary Life Membership in the year 1963, expressing their thanks and appreciation of the action of Convocation.

CONVOCATION THEN ROSE

J. D. Arnup,
Treasurer

MEETING OF CONVOCATION

FRIDAY, 21ST FEBRUARY 1964
10:30 A.M.

PRESENT:

The Treasurer, and Messrs. Ball, Chitty, Common, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Jessup, Keith, Levinter, Maloney, W. S. Martin, McCulloch, McLaughlin, O'Brien, Pattillo, Raney, Robins, Sanders, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, and Weir.

The Minutes of the Meeting of Convocation of 17th January 1964 were read and confirmed.

BENCHERS

The Treasurer welcomed to Convocation Mr. Arthur Sydney Pattillo, Q.C., who was elected a Bencher on 15th November 1963, and who was unable to attend the January 1964 meeting of Convocation; and Mr. Wesley Gibson Gray, Q.C., who was elected a Bencher on the 17th January 1964.

The Treasurer announced the death on the 21st January 1964 of Arthur Graeme Slaght, Q.C., a Bencher ex officio of this Society and an Honorary Life Member.

Mr. Slaght was first elected a Bencher on the 29th April 1926 and was re-elected at the quinquennial elections of 1931, 1941 and 1946, becoming a Bencher ex officio on the latter date. He served on many standing committees. Mr. Slaght became an Honorary Life Member on the 1st December 1959.

It was ordered that an expression of sincere regret of the Benchers be recorded in the Minutes.

COMMITTEES — LEGAL AID

Mr. Ralph D. Steele, Q.C., was appointed to the Legal Aid Committee.

JOINT COMMITTEE ON LEGAL AID

The Treasurer expressed the thanks of Convocation to Messrs. Levinter, Steele and R. F. Reid, the representatives of the Law Society on the Joint Committee on Legal Aid, for their contribution to this work in considering the many briefs that had been submitted, and in attending the public hearings which would be held in six cities throughout the Province within the next two months.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 20th February 1964, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Keith, Gregory, Sanders, Seaman, Sheard, Slemin and Weir.

BAR ADMISSION COURSE

Reduction of Expenditures

The Finance Committee asked this Committee to consider how expenditures might be reduced in the Bar Admission Course. At its meeting on 16th January 1964, your Committee referred the matter to a Sub-Committee which was appointed by the Chairman to consist of himself, the Vice-Chairman and Messrs. Keith, Sheard and Williston, the Director to be invited to attend. The Sub-Committee met on 17th February 1964, and its report and recommendations are before the Committee.

To the Members of the Legal Education Committee of the Law Society of Upper Canada

The Sub-Committee on Reduction of Expenditures in the Bar Admission Course begs leave to report as follows:

Your Committee met on Monday, 17th February 1964 at 4:00 o'clock in the afternoon, the following members being present: Mr. Howland, Chairman and Messrs. Keith, Robins and Sheard. Mr. Roberts attended at the Chairman's request. The Committee considered a memorandum submitted by the Director of the Bar Admission Course and, after giving the whole question careful consideration, recommends:

1. Heads of courses be paid $350 per week instead of $500 per week.
2. Instructors should receive $40 per day for a five-day week but should get no pay for the days on which they give no

group instruction (when their standby must conduct groups in their stead).

3. Standby instructors should receive a minimum of $100 per week, and for every day they give group instruction they will receive $40 which will be applied against their basic stipend of $100 each week (i.e. if a standby gives no lectures or two lectures he will receive $100 per week but if he delivers three lectures in one week he would receive $120 for that week).
4. A per diem rate should be maintained for lecturers rather than an hourly rate.
5. The Director be asked to make every possible reduction in the costs of printing and stationary.
6. The cost of the Call ceremony be charged to the Society's general funds instead of to the Bar Admission Course.
7. Any changes in the structure of the courses which would involve increased cost be considered by the Legal Education Committee and scrutinized carefully.

All of which is respectfully submitted.

"W. G. C. Howland"
Chairman.

Approved.

STUDENTS — ARTICLES — UNEMPLOYMENT INSURANCE

A memorandum from the Director and correspondence are before the Committee concerning the obligation of students to pay into the Unemployment Insurance Fund during their service under articles.

The Director recommends that representations be made by the Society to have students exempted altogether from the operation of the Act.

Your Committee recommends that representations be made by the Society.

SUB-COMMITTEE ON PROJECTED INCREASE IN THE NUMBERS IN THE BAR ADMISSION COURSE

The Sub-Committee met on Thursday, 20th February 1964, at 2:00 p.m., and its interim report and recommendations are before the Committee.

TO THE MEMBERS OF THE LEGAL EDUCATION COMMITTEE
OF THE LAW SOCIETY OF UPPER CANADA

THE SUB-COMMITTEE ON PROJECTED INCREASE IN THE NUMBERS IN THE BAR ADMISSION COURSE begs leave to report:

Your Sub-Committee met at 2:00 p.m. on 20th February 1964, the following members being present: Mr. Howland, Chairman, and Messrs. Seaman and Robins. Dean Leal and Mr. Roberts attended at the Chairman's invitation.

Your Sub-Committee considered the problems which will result from the projected increase in the numbers of students seeking admission to Osgoode Hall Law School and to the Bar Admission Course in the next ten years, and particularly the difficulties of space in Osgoode Hall which will be encountered and which are even now being felt.

Your Committee recommends:

1. The Law School limit its first year enrolment to 200 or less commencing in September 1964.
2. The Dean and the Director of the Bar Admission Course make reports on the present use being made of seminar rooms in the Osgoode Hall Law School and the Bar Admission Course.
3. Mr. Heeney be asked to estimate the cost of making a plan of the floor space on the second floor in the Law School building to see if the rooms could be altered to provide more space.
4. Further study be given to dividing the Bar Admission Course into two sections and to the time when this may become necessary.

All of which is respectfully submitted.

20th February 1964.

"W. G. C. Howland"
Chairman.
Approved.

OSGOODE HALL LAW SCHOOL

LAW SOCIETY SCHOLARSHIP FOR POST-GRADUATE STUDY

Michael M. Dennis. In both the First and Second Year at Osgoode Hall, Mr. Dennis achieved first class honours and stood second in his class.

Your Committee recommends that an award be made, the amount to be left to the Chairman and Vice-Chairman of the Committee in consultation with the Dean, having regard to the amount of financial assistance made available to the candidate from other sources.

James A. Rendall. In his First Year at Osgoode Hall, Mr. Rendall passed Class I and stood fourth out of 178 in his class. In his Second Year he passed Class 1 and stood tenth out of 148 in his Class. In his Third Year he passed Class 1 and stood ninth out of 131 in his Class. He received his LL.B. degree on 22nd June 1962, and is now in the teaching period of the Bar Admission Course.

Your Committee recommends that an award be made, the amount to be left to the Chairman and Vice-Chairman of the Committe in consultation with the Dean, having regard to the amount of financial assistance made available to the candidate from other sources.

Student Loan Fund

The report of the Osgoode Hall Law School Loan Committee recommends that loans be made to four students in the total amount of $1300.00.

Approved.

Special Lectures

A memorandum from the Dean is before the Committee recommending the re-appointment of the following Special Lecturers as of 1st July 1964, for one year:—

Leslie Robert Freeman, Q.C.	30 hrs.	Insurance Law
Kenneth Herbert Cridge Laundy, C.A.	36	Accounting (shared)
John James Mahoney	30	Admiralty Law
Richard Elias Shibley	72	Civil Procedure
John Graham McDonald, Q.C.	30	Seminar in Advanced Taxation.

Approved.

Associate in Criminal Law

A memorandum from the Dean is before the Committee recommending that Ernest Patrick Hartt, Q.C., be re-appointed Associate in Criminal Law for one year from 1st July 1964, on the same terms and conditions that pertained to his appointment during the academic session 1963-64.

Approved.

Associate in Local Government Law

A memorandum from the Dean is before the Committee recommending that William Ross Callow, Q.C., be appointed Associate in Local Government Law for one year from 1st July 1964.

Approved.

Honorary Lecturers

A memorandum from the Dean is before the Committee recommending the re-appointment of Dr. Harold George Fox, Q.C., as Honorary Lecturer in Patents, Trade Marks and Copyright; Dr. Goldwin Arthur Martin, Q.C., as Honorary Lecturer in Criminal Law; and William Goldwin Carrington Howland, Q.C., as Honorary Lecturer in Conveyancing and Mortgages.

The Committee may wish to express its thanks to Dr. Fox, to Dr. Martin and to Mr. Howland for the services they have so generously rendered.

Approved.

THE REPORT WAS ADOPTED.

WALLACE NESBITT TRUST FUND
STUDENT'S ESSAY COMPETITION

Mr. Howland presented the Report of the Examiners:

WALLACE NESBITT TRUST FUND
STUDENT'S ESSAY COMPETITION

We, the examiners, have the honour to report as follows:

1. That one essay only was submitted this year in this competition.
2. That, in the opinion of the examiners, this essay is of sufficient merit to warrant a prize, but not the First Prize, which is in the amount of $150.
3. We recommend that a prize in the amount of $100 be awarded to James D. Sharples, a Third Year student, for his essay on "Crime Statistics in Canada: An Evaluation."

Respectfully submitted,

"J. D. Arnup"
Treasurer

"W. G. C. Howland"
Chairman of the Legal Education Committee.

"H. Allan Leal"
Dean of the Law School

21st February 1964.

THE REPORT WAS RECEIVED.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, 20th February 1964, at 4:15 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Gregory and Robins.

Transfers and Applications

Your commitee considered applications and made recommendations thereon.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 19th February 1964, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Common, Gray, Harris, Howland, Keith, W. S. Martin, McLaughlin and Slemin

Financial Statement, 1st July 1963 to 31st January 1964

Approved.

Rolls and Records

The Secretary reports

Deaths — That the following former members of the Law Society have died and their records have been transferred to Past Records:

William E. Kelly, Windsor	Called — 17th September 1925 Deceased — 1st March 1963
H. A. McNeill, Q.C., Kingston	Called — 24th November 1927 Deceased — May 1963
T. S. Ram, Toronto	Called — 16th June 1921 Deceased — 17th December 1963
The Hon. G. P. Campbell, Q.C., Toronto	Called — 28th November 1923 Deceased — 16th January 1964
D. J. Cowan, Brantford (Honorary Life Member)	Called — 30th June 1908 Deceased — 13th January 1964
W. B. Purvis, Toronto	Called — 8th April 1960 Deceased — 18th January 1964
A. G. Slaght, Q.C., Toronto (Honorary Life Member)	Called — 28th June 1898 Deceased — 21st January 1964

H. R. Rose, Toronto	Called — 21st February 1929 Deceased — 26th January 1964
Willard F. Greig, Q.C., Uxbridge	Called — 27th September 1915 Deceased — 5th February 1964
Charles W. Livingston, Toronto (Honorary Life Member)	Called — 19th May 1911 Deceased — 11th February 1964

Noted.

Legal Cartoons

In the autumn of 1962 Her Honour Judge Helen Kinnear presented to the Society her collection of legal cartoons by the artists Stuff, Spy, Ape, Ape, Jr. and Capp.

Your Committee recommends that these cartoons be placed on loan with the Osgoode Hall Legal and Literary Society for hanging in the students' common rooms or other suitable place in the Law School.

Finance Committee Rules

At its meeting on the 15th January 1964 the Committee approved of the Rules as drafted by Mr. R. F. Reid in consultation with the Chairman. The Rules are in four parts, the fourth part referring to classes of membership, fees, removal from the rolls, and reinstatement. Mr. Reid discussed these with Mr. Howland, Chairman of the Legal Education Committee, and they have suggested a revision of Part IV which is submitted herewith.

Your Committee recommends that the proposed revision of Part IV of the Finance Committee rules be referred to the Special Committee on Revision of Rules for consideration and report.

Arrears of Annual Fees 1963-64

The Secretary submits a list of those members in arrears for fees, showing 122 in arrears for Barristers and Solicitors fees (1963- — 114) of whom 22 are in arrears for more than one year (1963 — 20); and 39 in arrears for Bar fee only (1963 — 31) of whom 4 are in arrears for more than one year (1963 — 5).

Your Committee recommends that a letter be written to all members in arrears for fees for a period of more than one year, informing them that unless their arrears are paid by 10th March 1964 a notice will be served on them notifying them that a resolution as to their suspension from practice will be considered at the meeting of Convocation to be held on 20th March 1964.

CONVOCATION HALL CLOCK

For some years the idea of presenting a clock to the Law Society of Upper Canada has been considered by The Lawyers Club. On 30th January 1964 Mr. Stanley C. Biggs, Q.C., President, wrote to the Secretary with reference to the presentation by the Lawyers Club of Toronto and the Reading Law Club of a clock to be hung in Convocation Hall. The case would be made by Ridpaths of Toronto, and the exterior including wood and metal would be made to match the present Convocation Hall. The correspondence, including the letter from Mr. Biggs, a memorandum from the Treasurer, and letters from Mr. Arthur Heeney are before the Committee.

Your Committee recommends that the gift of the Lawyers Club of Toronto and of the Reading Law Club be accepted with appreciation.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

27th January	— Barristers' Lounge for a meeting of the Labour Relations Subsection, C.B.A., 7:30 p.m.
9th March	— Osgoode Hall facilities for a dinner meeting, 5:30 - 9:30 Our Lady of Good Counsel.
24th and 25th April	— Convocation Hall for a dinner meeting on 24th April; and a seminar room for Saturday, 25th April — Labour Relations Section, C.B.A.

Approved.

INSURANCE

The last Sub-Committee on Insurance was composed of Messrs. R. F. Wilson (then Chairman of the Committee), the late G. N. Shaver, and Levinter. The appointment of a new Sub-Committee is suggested.

The Secretary, with the assistance of Armour, Boswell, Cronyn & Tolley Limited, the Society's insurance brokers, has drafted new statements of value. The Secretary suggests that these should be considered by the new Sub-Committee on Insurance.

Your Committee recommends the appointment of a new Sub-Commitee on Insurance consisting of — Messrs. Levinter, Keith and Gray.

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidate was presented to the Treasurer and Convocation, was Called to the Bar and the degree of Barrister-at-law was conferred upon him:

James Colin MacDonald — Special — British Columbia

DISCIPLINE COMMITTEE—Mr. O'Brien

Messrs. Ford, Common and Maloney asked that it be recorded in the Minutes that on account of previous knowledge of the matters involved in the first four Reports of the Discipline Committee to be presented today, they had not sat on any of these matters and did not vote on any of these Reports.

Re X, a Solicitor

The Committee investigated four specific complaints against the solicitor covering his relations during the years 1953 to 1960 with Messrs. Vincent Feeley and Joseph McDermott, who had been active in the operation of certain social clubs long suspected of illegal gaming activities. The complaints are summarized as follows:

The solicitor

(a) assisted Feeley and McDermott in their illegal activities over a number of years knowing them to have criminal records;

(b) made written representations to the Attorney General's Department on their behalf without reasonable enquiry as to the accuracy of the information communicated;

(c) acted in disrespect for a judicial office in relation to an enquiry before the Deputy Provincial Secretary respecting the suspension of the charter of one of the clubs;

(d) made representations as to the character and qualifications of Feeley and McDermott to the office of the Superintendent of Insurance at Ottawa (in relation to an application for a licence for a finance company) which representations were of a misleading nature and made without reasonable enquiry as to their accuracy.

On the evidence the Committee found that the complaints mentioned in paragraphs (a) (b) and (c) had not been established but had more difficulty with respect to the complaint mentioned in paragraph (d) being of the opinion that the conduct of the solicitor came very close to professional misconduct in that he failed to communicate to the office of the Superintendent of Insurance information that was detrimental to his clients, though it was probably material to the enquiry that had been made, it being the contention of the solicitor that he was not under a duty to disclose detrimental information, and that he thought that the Department would make its own investigation. Speaking generally the Committee was of the opinion that in such a situation the solicitor's conduct should be governed by the following considerations:

1. When a solicitor is called upon to give a character reference or to make representations of fact on behalf of a person to advance that person's interests he should not give such reference or make such representation without adequate knowledge concerning the matter.
2. He must not in any circumstance convey information that he knows to be false and more especially so where the information is material to the enquiry.
3. He must not convey information carelessly or recklessly without concern as to its truth or falsity.
4. He must not deliberately withhold or conceal any material information concerning the matter even though its disclosure might be detrimental to the person concerned.
5. When the client or person concerned insists that certain information be withheld which is material, the solicitor should decline to give the character reference or to make the representation.

The Committee was further of the opinion that it is of importance to the legal profession that when representations of fact are made on behalf of a client or a character reference is given, that the recipient can rely on the information given, and it should not be necessary that the truth or accuracy of the information be investigated by the recipient.

While it has not been the usual practice for the Committee to make a report to Convocation where the complaint against the solicitor has not been established, nevertheless the Committee felt that it was desirable in the circumstances to make a report embodying the foregoing views for the guidance of the profession.

Moved by Mr. O'Brien, seconded by Mr. Robins, that the Report be adopted.

The solicitor attended with his counsel, but neither addressed Convocation.

The motion was carried.

RE: DAVID GONDRAN HUMPHREY

The Committee reported after due inquiry that the solicitor's conduct as a whole in relation to persons known to him to be professional gamblers having interests in or operating illegal gaming houses was unbecoming a barrister and solicitor in Ontario inasmuch as over a period of four years he fraternized with them to an extent neither required nor justified by his professional association and participated in arrangements under which another solicitor engaged in discreditable activities, and also at the request of one of them permitted a mortgage belonging to a convicted professional gambler to be registered in his own name when he did not appreciate all that was involved in the transaction. The Committee recommended that he be reprimanded in Convocation and ordered to pay $1,500.00 to the Society, being part of its expenses incurred in this investigation.

Moved by Mr. O'Brien, seconded by Mr. Pattillo, that the Report be adopted.

The solicitor attended but did not address Convocation.

The motion was carried.

RE: WALTON CHARLES ROSE

The Committee reported that after due inquiry it found that the solicitor was guilty of conduct unbecoming a barrister and solicitor in that he took part in a transaction that required him to assume a false identity and conveyed false information to a police officer and in that connection took instructions and guidance from a person without determining that person's right to give instructions or his interest in the matter and also that in preparing an affidavit purporting to show bias on the part of a Commissioner he permitted himself to be dominated by his clients and went far beyond what was necessary or proper to advance his clients' interest. The Committee recommended that he be reprimanded in Convocation and that he be ordered to pay $500 to the Society, being part of its expenses incurred in its investigation.

Moved by Mr. O'Brien, seconded by Mr. Creighton that the Report be adopted.

The solicitor attended but did not address Convocation.

The motion was carried.

RE: SOLLY GEBIRTIG

The Committee reported that after due inquiry it found that the Solicitor was guilty of conduct unbecoming a barrister and solicitor in that he permitted himself to be used by persons known to be professional gamblers and moving spirits in gambling clubs for their illegal purposes and recommended that the solicitor be reprimanded in Convocation.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

The solicitor attended but did not address Convocation.

The motion was carried.

Messrs. Humphrey, Rose and Gebirtig attended before Convocation and were reprimanded by the Treasurer.

Messrs. Humphrey, Rose and Gebirtig were informed that Messrs. Ford, Common and Maloney had taken no part in the consideration of these three Reports.

Discipline Committee — The Treasurer reported to Convocation that on these four matters reported immediately above, the Discipline Committee sat for seventeen days, and expressed to the members of the Discipline Committee the thanks and appreciation of the members of Convocation.

REVISION OF RULES — *Discipline Committee*

Mr. O'Brien, Vice-Chairman, presented the Report of the Discipline Committee:

Moved by Mr. O'Brien, seconded by Mr. Gregory, that a copy of this Report be sent to all members of Convocation, and that consideration stand to the March meeting of Convocation.

Carried.

CONVOCATION ADJOURNED AT 1 P.M.

The Treasurer and Benchers entertained at luncheon Mr. Gordon F. Beddis, Registrar, Supreme Court of Ontario.

CONVOCATION RESUMED at 2:15 p.m., a quorum being present.

REPORTING COMMITTEE

In the absence of the Chairman, Mr. Harris presented the Report:

RULES — REPORTING COMMITTEE

Notices and Advertisements — Ontario Reports

Further to certain advertisements which appeared recently in the Ontario Reports and the considerable comment thereon, your Committee recommends the addition of the following to the Reporting Rules:

Rule (*5*)

(a) The Reporting Committee may permit the publisher to publish with each part of the Reports such advertising not objectionable to the Society as the publisher may wish to print at his own expense, but all such advertising shall be entirely separate from the text of the Reports.

(b) All advertisements placed in the Ontario Reports by solicitors except announcements should not disclose the solicitor's name but may include a box or telephone number.

Moved by Mr. Harris, seconded by Mr. W. S. Martin, that the Report be adopted.

Moved in amendment by Mr. Ball, seconded by Mr. Ford, that the matter be referred back to the Committee for further consideration, and that the Committee be reminded that the proposed Rule 5(a) is already provided for in the Contract with the publisher.

The amendment was carried.

LIBRARY COMMITTEE—Mr. W. S. Martin, Vice-Chairman.

Your Committee met on 19th February 1964, the following members being present: Messrs. Martin (Vice-Chairman), Common, Harris, Slemin and Strauss.

MISSING BOOKS

Your Committee reports that it has approved the purchase of certain books including two books taken from the library without permission, the cost of which is $17.00.

Your Committee further reports that 41 text-books, some of which cannot be replaced, disappeared from the library in the past year 1963 and that 54 volumes, taken in previous years, were returned. Your Committee recommends that a notice be inserted in the Ontario Reports listing the books taken out contrary to the Rules, in 1963, and appealing to the members of the profession to return any library books which may be in their possession.

MR. MIDDLETON:

Your Committee reports that Mr. John G. Middleton, Q.C., has presented certain framed pictures, of considerable interest to the members of the Society, to be placed in the museum set up by the Committee on Muniments and Memorabilia.

RULES REVISION:

Your Committee approved a draft revision of the Rules relating to the library and the Great Library regulations, subject to certain changes, at its November 1963 meeting but asked that the Phillips Stewart Library regulations be redrawn. Your Committee now reports that it has approved the draft revision of the Rules and Great Library regulations, a copy of which is attached to and forms a part of this report and recommends that the Phillips Stewart Library regulations be not published with the Rules since they are for use only in the law school.

SHELVING — LEGAL PERIODICALS:

As many of the legal periodicals shelved in the Old Robing Room have filled the spaces left for them in 1957, your Committee recommends to the Finance Committee that three nine-foot double sided book cases be purchased at a cost of around $900.00 to provide space for from seven to ten years expansion in this section of the library.

LIBRARY COMMITTEE

Rule 1

The library committee shall be responsible to Convocation for the general supervision and management of the Great Library, the Phillips-Stewart Library and all other rooms used exclusively for library purposes and of library books in other rooms, and subject to the approval of Convocation the committee may make such arrangements and take such steps as the committee deems necessary or desirable to carry out these responsibilities.

Rule 2

The Chief Librarian shall have the immediate and general charge of the Great Library and the Phillips-Stewart Library under the direction of the library committee.

Rule 3

The Chief Librarian shall keep an account of all petty library expenditures made by him out of such sums as the library committee may authorize to be advanced to him for that purpose.

Rule 4

Recommendations for the purchase of books shall be made by the Chief Librarian. No purchases may be made without the approval of the committee except where the chairman or two members of the committee or, if the books in question are for the Phillips-Stewart Library, the Dean of Osgoode Hall Law School, signify in writing that in his or their judgment such purchases are immediately required.

Rule 5

The Chief Librarian shall recommend to the library committee for appointment his assistants and shall prescribe their duties.

Rule 6

There shall be an Assistant Librarian in respect of the Great Library and an Assistant Librarian who shall have charge of the Phillips-Stewart Library under the superintendence of the Chief Librarian and who shall also act as an additional Assistant Librarian in the Great Library when required to do so.

GREAT LIBRARY REGULATIONS

28.1.64

(1) The library shall be kept open for the use of members of the Society as follows:

(a) From Monday to Friday inclusive, except on statutory holidays and in the vacations, from 9:00 a.m. to 5:00 p.m. or until the rising of any court which may be sitting after 5:00 p.m., and in the evenings from 6:30 p.m. to 10:00 p.m.

(b) On Saturdays, except on statutory holidays and in the vacations, from 9:00 a.m. to 5:00 p.m.

(c) In the vacations, from Monday to Friday inclusive, except on statutory holidays, during the hours in which the court offices in Osgoode Hall are open.

(2) There shall be no smoking in the library and no conversations shall be carried on in the library or near enough to it to disturb those using it.

(3) No person shall bring his hat, overcoat or umbrella into the library. Jackets must be worn in the library except in the evenings and in vacation.

(4) The library is maintained for reference only and the tables are to be occupied only for the examination of books. Students may use the library only in the evening and only for purposes of study. Students must return to their places on the shelves all books taken down by them before leaving the library.

(5) Defacement of the books with pen or pencil, or otherwise, is strictly forbidden.

(6) (a) The Judges of the Supreme Court and the masters and assistant masters may take books from the library upon application to the Chief Librarian.

(b) Any barrister or solicitor being a member of the Law Society, who requires books upon the argument of a case in Osgoode Hall may borrow books upon application to the Chief Librarian provided that he signs the required slips for legal treatises and enters the names and volume numbers of other books and signs his own name in the book provided for this purpose. Legal treatises are to be returned to the library immediately after the close of the argument for which they are required and other books by the end of the day on which they are borrowed.

(c) Legal treatises of which the library contains duplicates may be taken out overnight to be returned by the borrower by 10:00 a.m. on the following day, provided that at least one copy is always retained in the library.

(d) Works of general literature other than books of reference may be taken out for such periods as the Chief Librarian may prescribe.

(e) The books named in the preceding clauses (c) and (d) shall be available only to members of the Law Society and students of Osgoode Hall Law School who shall not, in the opinion of the Chief Librarian, have previously disregarded these regulations.

(7) It shall be the duty of the Chief Librarian to enforce these regulations and to report any infringement of them to the library committee.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 21st February 1964, the following members being present: Messrs. Ball (Chairman), Fennell, (Vice-Chairman), Jessup, Martin, Raney, Sanders, Seaman, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the Prescott and Russell association which failed to file its annual returns for the year 1962 within three months from the 15th January 1963 has now filed its returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that a grant be made to it of $540.00.

Your Committee reports to the Finance Committee that the following county and district law associations have filed their annual returns for the year 1963 in accordance with Rule 62 and have complied in all other respects with the requirements of the Rules and recommends that grants be made to them as follows:

Elgin	$ 975.00
Hamilton	1850.00
Middlesex	1850.00
Muskoka	600.00

Temiskaming	600.00
Waterloo	1850.00
Welland	1850.00
York	2500.00

RULES REVISION

Your Committee reports that the revision of the Rules was further considered and that a new revised draft is to be presented at its March meeting.

SURVEY OF REVENUE AND EXPENDITURES

Your Committee reports that the survey of the sources of revenue and the expenditures of the County and District Associations, which the Chief Librarian was asked at the October 1963 meeting to make, has been completed, is being distributed to the members of the Committee and will be considered at its March meeting.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 21st February 1964, the following members being present: Mr. R. L. Seaman (Chairman), Mr. R. D. Steele, (Vice-Chairman), and Messrs. Ball, Creighton, Fennell, Ford, Jessup, Levinter, W. S. Martin, Raney, Sanders, Slemin, Strauss and Weir.

P. LICANDRO

Your Committee approved a report from its counsel, Mr. C. H. Walker, Q.C., recommending that a charge be laid against P. Licandro, Ottawa, for representing himself as a solicitor, contrary to Section 6(1) of The Solicitors Act.

GERARD S. MACLEAN (disbarred 17th May 1963)

Your Committee at the request of Nathan Strauss, Q.C., reviewed the unauthorized activities of Mr. Gerard S. MacLean, a disbarred solicitor.

The Committee appointed Mr. Strauss a sub-committee, with power to add, to review the question of disbarred solicitors working in law firms.

THE COMMISSION FOR TAKING AFFIDAVITS ACT

Your Committee received information that the Attorney General had proposed an amendment to The Commissioners For Taking Affidavits Act.

The Secretary and Chairman were requested to watch for any legislation.

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on Thursday, the 20th February 1964, the following members being present: Messrs. W. S. Martin (Chairman), Ball, Gray, O'Brien, Pattillo and Raney.

SPONSORED TRAVEL

Your Committee has on several occasions considered correspondence with reference to organized chartered travel under the sponsorship of the Law Society of Upper Canada. Your Committee is of the opinion that the Society should assist any legal group in such projects if arrangements can be made under which the Law Society has no liability — in contract, tort or otherwise — and no work on organization other than certifying the applicants as members of the Society. Two members of the Society who have written about this subject have been notified of the Committee's opinion.

PUBLIC RELATIONS PROGRAMME OF THE MINNESOTA STATE BAR ASSOCIATION

The Chairman presented to the Committee a number of pamphlets on various services of a solicitor which are printed and distributed by the Minnesota State Bar.

Your Committee recommends that the matter be referred to a sub-committee consisting of Messrs. Pattillo, Ball and Gray, to consider and report back on all phases of this public relations programme, including cost and method of distribution, etc., and the Chairman is authorized to consult a public relations consultant of his choice as long as there is no financial obligation to the Law Society.

MISSOURI BAR, PRENTICE-HALL SURVEY

A Motivational Study of Public Attitudes and Law Office Management

The Chairman presented a copy of this survey to the Committee.

Your Committee recommends that this matter be referred to a sub-committee consisting of Messrs. Raney (Chairman), McCulloch and O'Brien to consider this survey and report on how its recommendations might apply in Ontario.

PRESS ARTICLES BY MR. FRASER RANEY, Q.C.

Over a period of years Mr. Raney has contributed articles to the press in Haldimand County, and in its Report of the 17th February 1961, the Public Relations Committee said, in part:

> "Your Committee recommends that this practice should be encouraged, and that the County and District Law Associations be requested to give consideration to the preparation by members of the Local Associations and publications in County and District newspapers of articles on any open legal meeting or occasions such as the Mid-Winter meeting of the Ontario Section, the Annual Meeting of the local Association, and the Continuing Education programme."

Mr. Raney has recently been responsible for two articles in the Dunnville Chronicle, one on the Annual Meeting of the Haldimand Association, and one on the Treasurer's address to the Mid-Winter Meeting of the Ontario Section of the Canadian Bar Association.

Your Committee wishes to express its thanks and appreciation of the valued services by Mr. Raney in this connection, and recommends that further consideration of the Committee's earlier report stand for the Report of Mr. Pattillo's sub-committee.

THE REPORT WAS ADOPTED.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Slemin

Your Committee met on Thursday, the 20th February 1964, the following members being present: Messrs. Slemin, (Chairman), Howland, O'Brien, Sheard and Strauss.

Mr. R. F. Reid, Q.C., was present by request.

RULINGS OF THE PROFESSIONAL CONDUCT COMMITTEE
PUBLICATION OF PROFESSIONAL CONDUCT BOOK

Rulings 1 - 31, except Ruling 30, have been revised, renumbered 1 - 30 and approved. Convocation has also approved of the publication of the Rulings in the Ontario Reports.

Your Committee considered suggestions and prices from three Law Book publishing companies for the publication of a Professional Conduct Book, and your Committee recommends that the matter stand for further consideration at a special meeting to be called as soon as possible.

REVISION OF RULES — *Committee Membership*

Your Committee recommends approval for reference to the Special Committee on Revision of Rules, of the following Rule:

> "The Professional Conduct Committee shall consist of the Chairman and Vice-Chairman of the Discipline Committee, the Chairman of the Legal Education Committee, and at least four other members; provided that at all times three members of the Committee shall also be members of the Discipline Committee."

THE REPORT WAS ADOPTED.

RETIRED JUDGES

The Treasurer referred to the question of retired judges engaging in practice as barristers and solicitors.

It was moved by Mr. Ford, seconded by Mr. Sheard, that the matter be referred to a Special Committee.

Carried.

CONVOCATION, APRIL 1964

Moved by Mr. Howland, seconded by Mr. Robins, that the meeting of Convocation in April 1964 be held on Friday, 10th April instead of on the regular Convocation day, Friday, 17th April and that the Call to the Bar be held at O'Keefe Centre at 2:30 p.m.

CORRESPONDENCE

The Treasurer read a letter from Mr. Arthur S. Pattillo, Q.C., Vice-President for Ontario, C.B.A., thanking the Treasurer and Benchers for entertaining the members at the Mid-Winter meeting at luncheon on Saturday, 8th February.

CONVOCATION THEN ROSE.

J. D. Arnup,
Treasurer

MEETING OF CONVOCATION

Friday, 20th March 1964
10:30 a.m.

Present:

The Treasurer and Messrs. Ball, Barlow, Beaton, Clement, Creighton, Fennell, Ford, Gray, Howland, Jamieson, Keith, G. A. Martin, McCulloch, McLaughlin, O'Brien, Raney, Robinette, Robins, Sanders, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, Williston, P. D. Wilson, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of 21st February 1964 were read and confirmed.

Unfinished Business

REVISION OF RULES — DISCIPLINE COMMITTEE

Mr. G. A. Martin

Your Committee, after considering the Revision of Rules drafted by Mr. Robert F. Reid, Q.C. and the suggested changes made by your Committee, recommends that the attached Revised Rules be adopted.

1. In this Part:
   (a) the word "solicitor" includes "barrister" and "student-at-law";
   (b) reference to the disbarment of a barrister includes the meaning striking from the rolls of a solicitor and vice versa;
   (c) "Secretary" includes the meaning "Deputy Secretary".

Investigation of Disciplinary Offences

2. Where a complaint is made or it comes to the notice of the Society or its Secretary that there may have been professional misconduct or conduct unbecoming a solicitor or conduct reflecting upon the honour of the Bar or any other breach of discipline the Secretary shall and any member of the Committee may make such preliminary investigation as he deems proper and where in his opinion there is a reasonable ground for believing that the complaint is or may be justified or that such conduct or misconduct or breach of discipline exists, he shall refer the matter complained of or investigated to the Discipline Committee or its Chairman or Vice-Chairman or another member thereof, for such further action as may be considered proper, and, if directed to do so, the Secretary shall reduce the matter complained of or investigated to a formal

written complaint and such formal complaint shall then stand referred to the Discipline Committee for further investigation and report or such action as the Committee deems proper as hereinafter set forth.

3. The Chairman, Vice-Chairman or Secretary shall thereupon appoint a time and a place for the investigation of the formal complaint and the Secretary shall notify the solicitor whose conduct has been called into question of the formal complaint and the time and place appointed for the investigation and shall arrange for the attendance of such witnesses and the production of such books and records and other documents as may be indicated and may require such witnesses to give evidence under oath or by affirmation concerning the complaint that is being investigated, and may require the production of such books and records and other documents.

4. For the purposes of its investigation and report the Committee may receive and accept as *prima facie* evidence of any facts stated in it, the statutory declaration of any person who therein declares to his personal knowledge of such facts.

5. The notice required to be given to the solicitor of such investigation (or any other notice required to be given to a solicitor by these Rules) may be given by personal service or by mailing a copy thereof in a registered letter addressed to the solicitor at his last known residence or office address and such service or mailing shall be not less than 7 days before the date of the investigation (or in other cases 7 days before the event or the thing required to be done) and proof by statutory declaration of the mailing of the said notice shall be sufficient evidence of service of such notice on the solicitor concerned. The Committee may also in its discretion, direct that notice be given by publishing a copy of the same in one issue of a newspaper published in the city or town or county in which the solicitor concerned resides, resided or carried on his practice and proof of such publication may be made by statutory declaration as in the case of mailing, and the proof by statutory declaration of such publication shall be sufficient evidence of service of such notice on the solicitor concerned. In cases of mental incompetency of a solicitor, where there is a committee, a copy of such notice shall be sent by registered mail to such committee.

6. If the solicitor shall fail to appear pursuant to the notice at the time and place appointed, the Committee may thereupon proceed with such investigation in the absence of such solicitor.

7. The Committee may from time to time adjourn any investigation.

8. Where there is a variance between the wording of the formal complaint and the evidence adduced in support thereof, and where in the opinion of the Committee, the solicitor has not been prejudiced by lack of notice, the Committee may direct an amendment of the formal complaint so as to make it conform to the evidence and proceed with the investigation, but where in the opinion of the Committee the solicitor may be prejudiced by such amendment, the Committee may if it is of the opinion that such prejudice can be removed by an adjournment, make such amendment and adjourn the investigation to a later date.

9. The Committee shall reduce to writing or cause to be taken down in shorthand, or by a mechanical recording process, the evidence adduced or given by the witnesses and the solicitor, if he testifies.

10. In all cases where professional misconduct or conduct unbecoming a solicitor has been established, the Committee shall report the results of their investigation to Convocation together with their views and recommendations as to disciplinary action, but where the Committee finds that there has been a breach of discipline or conduct reflecting on the honour of the Bar which does not amount to professional misconduct or conduct unbecoming a solicitor the Committee may take disciplinary action by way of reprimand and may require the solicitor to give such undertakings or to submit to such supervision as the Committee may deem proper.

11. Whether or not the Committee finds that professional misconduct or conduct unbecoming has been established, the Committee may recommend to Convocation that the name of a solicitor be removed from the rolls of the Society at his request.

12. When the Committee shall have prepared its report for submission to Convocation, the Secretary shall thereupon cause a copy of the report to be served upon the solicitor whose conduct is under investigation, either personally or by registered letter or by publication of a notice of such report in manner aforesaid, together with a notice that the report will be considered and dealt with by Convocation at a meeting to be held at a certain hour upon a date to be named, which shall be not less than seven days after the date of service in manner aforesaid, and such notice shall provide that the solicitor may appear at such meeting and be heard per-

sonally or by counsel in respect of the report of the Committee and in respect of the action of Convocation to be taken thereupon; and Convocation may thereafter take such action in the manner as to it may seem meet, whether or not the solicitor shall appear in response to the said notice. If the solicitor intends to challenge or dispute any statement of fact or finding of fact contained in the report of the Committee at such meeting of Convocation he shall, not later than the day previous to such meeting, give to the Secretary a statement in writing setting forth any statement of fact or finding of fact which he intends to challenge or dispute.

13. A solicitor may be appointed by Convocation or the Committee either at a salary to be fixed or by special retainer whose duty it shall be to enquire into all cases which may be brought to his notice by the Committee or its Chairman, or by the Secretary, whether or not any formal complaint has been made and to report thereon to the Committee, and if requested by the Committee or its Chairman or the Secretary, to prepare matters for investigation by the Committee and to appear before the Committee on any investigation as its counsel and to conduct the examination of witnesses.

14. Where the solicitor appointed by Convocation or the Committee has made his report, the Committee or its Chairman or a member thereof or the Secretary, may direct the preparation of a formal complaint and may proceed with the investigation of such formal complaint as hereinbefore provided.

15. Any solicitor whose conduct is being investigated shall have the right to adduce evidence and to appear by or be represented by counsel.

16. Where preliminary investigation has indicated some minor breach of discipline or the possibility that a breach of discipline will occur or in any other case, the Committee, may, without formal complaint, invite a solicitor to appear before it to enable it to make an informal investigation, and the Committee in addition to any of its other powers may after such informal investigation admonish or warn the solicitor in relation to the matter so investigated.

Suspension from Practice

17. (1) Where a member has been declared, certified or found to be mentally incompetent or mentally ill pursuant to the relevant statutes in that behalf, the benchers may, by resolution, suspend him from practice.

(2) Where a member has been suspended from practice under this section, he may apply to be reinstated.

(3) Upon an application pursuant to subsection (2), the benchers may, by resolution, reinstate the applicant and may in their discretion impose such terms and conditions as they deem proper.

(4) A copy of every resolution passed under this section shall be communicated to the Registrar of the Supreme Court.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Rules as revised with certain minor drafting changes now proposed, be approved and adopted, and that they come into force forthwith.

Carried.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 19th March 1964, at 4:30 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Jamieson, Sanders, Seaman, Sheard, Slemin and Williston.

OSGOODE HALL LAW SCHOOL

VISITING PROFESSOR

Dr. R. E. Megarry, Q.C., of London, England, was appointed Visiting Professor at the Osgoode Hall Law School for the Fall Term of the academic session 1964-65.

Dr. Megarry will take the first term of the course in Equity with the Second Year and the first term of the course in Local Government and Planning Law with the Third Year. He is also anxious to study the teaching of professional skills in the Bar Admission Course.

Approved.

SPECIAL REQUEST

A member of the faculty has sought the Dean's permission to enter into an arrangement under which he would be named counsel to a Toronto solicitor whose practice is largely concerned with business law.

Your Committee recommends that the request be refused and that full-time members of the faculty ought not to accept general retainers.

OSGOODE HALL LAW SCHOOL BURSARIES

On 29th April 1963, Gerald James Pickering, a 1962 LL.B. graduate of the Osgoode Hall Law School, was killed in an automobile accident. With donations from his friends and classmates at McMaster University and the Osgoode Hall Law School, a fund in excess of $1,000.00 has been established and is now offered to the Law School on the terms that the capital be invested and the income applied annually as a bursary in the Osgoode Hall Law School, to be awarded preferably to one who has formerly attended McMaster University.

Approved.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 19th March 1964, at 4:00 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman and Mr. Jamieson.

DIRECT TRANSFER & COMMONWEALTH TRANSFER

Your Committee considered applications and made recommendations thereon.

THE REPORT WAS ADOPTED

SPECIAL CALL TO THE BAR —

The Honourable Guy Favreau, P.C., Q.C.
Minister of Justice

Moved by Mr. Sheard, seconded by Mr. Howland, pursuant to Section 4 of The Barristers' Act, that the Honourable Guy Favreau, Minister of Justice and Attorney-General of Canada, be called to the Bar of Ontario on Friday, 10th April 1964, without complying with any of the rules of the Society as to admission, examinations, payment of fees, or otherwise.

Carried.

FINANCE COMMITTEE—Mr. Sheard

Your Committee met on Wednesday, 18th March 1964, the following members being present: Messrs. Sheard, Vice-Chairman in the Chair, Gray, Howland, W. S. Martin, Steele, P. D. Wilson and R. F. Wilson.

FINANCIAL STATEMENT, 1st July to 29th February 1964

Approved.

ROLLS AND RECORDS

The Secretary reports—

Deaths — That the following former members of the Law Society have died and their records have been transferred to Past Records:

Alexander McKenzie Fulton, Q.C., Lindsay (Honorary Life Member)	Called — 26th June 1900; Deceased — 14th February 1964.
Donald Greer Beattie, Toronto	Called — 23rd June 1955; Deceased — 20th February 1964.
Robert Cochrane Baird, Q.C., Toronto	Called — 20th June 1929; Deceased — 4th March 1964.

Noted.

The Secretary asks permission to transfer the Record Sheet of the following to Past Records:

Charles Edward Carter, Ottawa	Called — 25th June 1953; Magistrate.

Approved.

OSGOODE HALL LAW SCHOOL LOAN COMMITTEE

The Report of the Osgoode Hall Law School Loan Committee of 16th March 1964 is before the Committee. The Loan Committee recommends that a loan be made to a student of the First Year, in the sum of $300.00.

Approved.

CHANGE OF NAME

Walter Nicholas Ancuta is entered on the records of the Law Society as Walter "Nick" Ancuta. He now asks to have his name changed on the records of the Law Society to Walter Nicholas Ancuta, his proper name as it appears on his birth certificate.

Approved.

ARREARS OF ANNUAL FEES

On 19th February 1963 the Secretary presented a list showing 122 in arrears for Barristers and Solicitors fees, of whom 22 were in arrears for more than one year; a list of 39 who were in arrears for Bar Fee only, of whom 4 were in arrears for more than one year. The Committee recommended that all members in arrears for more than one year be informed that unless their fees were paid forthwith, notice would be served that a resolution for their suspension from practice would be considered at the March Convocation.

Since 19th February —

Barristers and Solicitors

17 — paid fees and penalty for current year
12 — paid fees for more than one year
3 — paid arrears for 1962-63

Total number still in arrears — 93

Bar Fee

5 — paid fees for current year
2 — paid fees for more than one year

Total number still in arrears — 32

Pursuant to the resolution of the Committee, notice as referred to above was served on 11 Barristers and Solicitors in arrears for more than one year, and 1 Bar only.

The following are still in arrears for more than one year:

Barristers and Solicitors

R. A. Downing, Box 144, Carleton Place Ont.	$208.00
R. P. Doyle, 195 Prince Street, Pembroke	$163.00
H. J. Fournier, 20 Cyprus St., Sudbury	$208.00
J. A. Howard, Box 26, Eganville	$208.00
D. C. McKechnie, 244 Bay St., Toronto	$208.00

Bar only

J. O'D. Donovan — address unknown	$110.00

Your Committee recommends with respect to —

Barristers and Solicitors

R. A. Downing, Box 144 Carleton Place, Ontario
H. J. Fournier, 20 Cyprus Street, Sudbury
R. P. Doyle, 195 Prince Street Pembroke
J. A. Howard, Box 26, Eganville
D. C. McKechnie, 244 Bay Street, Toronto

Bar only

J. O'D. Donovan — address unknown

who are in arrears for fees for more than one year, that appropriate action be taken to have them suspended from practice for a period of one year.

COMPENSATION FUND — *Auditor*

At its meeting on the 15th March 1963 the Discipline Committee recommended, subject to the approval of the Finance

Committee, that an additional chartered accountant be retained on the Secretary's staff to assist in the programme of audits.

With the approval of the Chairman of the Finance Committee, Mr. John F. Hughes has been engaged as an accountant, his employment to begin on 15th March 1964.

Mr. Hughes has spent more than thirty-three years as an accountant with various commercial firms. He is 56 years of age, and does not come under the Law Society's pension scheme.

Approved.

General Maintenance 1964

Mr. Arthur Heeney, in a letter of 13th March, recommends certain items of general maintenance to be carried out during July & August.

Approved.

Conference of Criminology

A Conference on Criminology has been organized by Professor John Edwards of the University of Toronto, head of the newly established Department of Criminology. Guests will include the Chief Justice of each Province, the Chief Justice of the Trial Division of each Province, the Senior County Court Judge and a Senior Magistrate from each Province, and the guests will total about 80 people.

The Conference will be held on 27th to 29th May and the University of Toronto will entertain the guests at dinner on the 27th. With the approval of the Treasurer and Chairman of the Finance Committee, an invitation has been extended to all those participating in the Conference to dinner at Osgoode Hall on Thursday, 28th May at 6:30 for 7:30.

Approved.

Legal Meetings and Entertainments

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

April 3 - 4	Third Criminal Law Conference — Professor Friedland asks permission to use the facilities of the Law School for this Conference; and a Buffet dinner in the Barristers' Lounge on Friday evening, April 3rd.

April 11th	Convocation Hall — 1963 Graduating Class — Reunion Dance
April 15th	Convocation Hall — County of York Law Association Dinner
October 24th	Third Floor Common Room and Convocation Hall for Dinner and Reception — 1954 Class Reunion Dinner.

Approved.

THE REPORT WAS ADOPTED

Arrears of Annual Fees — *Motion to Suspend*

Moved by Mr. Sheard, seconded by Mr. Howland, that pursuant to The Law Society Act, R.S.O. 1960, cap. 207, the following Barristers be and they are hereby suspended from practice for a period of one year from this date:

Robert Anderson Downing
Herman Joseph Fournier
Robert Philip Doyle
Joseph Alphonso Howard
Douglas Cameron McKechnie
John O'Donohue Donovan

Carried.

On Motion made by Mr. Sheard, seconded by Mr. Howland, it was resolved that the following Solicitors be and they are hereby suspended from practice for a period of one year from this date:

Robert Anderson Downing
Herman Joseph Fournier
Robert Philip Doyle
Joseph Alphonso Howard
Douglas Cameron McKechnie
John O'Donohue Donovan

Carried.

DISCIPLINE COMMITTEE—Mr. G. A. Martin

Re Henry Harry Eckler

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had not replied to letters from the Law Society of Upper Canada in connection with complaints against his professional conduct. The Committee reported that the solicitor was reprimanded in Committee, and recommended that no further action be taken.

Moved by Mr. Martin, seconded by Mr. O'Brien, that the Report be adopted.

Carried.

Re: A, a solicitor

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor, in that he failed to maintain his books and records in accordance with the Society's Rules Respecting Accounts; and had allowed various of his clients' trust accounts to be overdrawn, and recommended that the solicitor be reprimanded in Convocation.

Moved by Mr. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor attended with his counsel, but did not address Convocation.

The motion was carried.

Re: B, a solicitor

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor, in that he failed to maintain his books and records in accordance with the Society's Rules Respecting Accounts; and had allowed various of his clients' trust accounts to be overdrawn, and recommended that the solicitor be reprimanded in Convocation and required to pay $830.00, being the cost of the Society's investigation.

The Committee considered that since Mr. A. was a partner of the solicitor, using the same books, he should also bear responsibility for them, and Notice of Complaint was served upon him and he gave evidence at a later date concerning the partnership's books. The Committee wished to point out the responsibility of all partners in such situations.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien that the Report be adopted.

The Solicitor attended with his counsel who addressed Convocation briefly.

The motion was carried.

Messrs. A and B and their counsel, re-attended before Convocation, and Messrs. A and B were reprimanded by the Treasurer.

SPECIAL COMMITTEE ON THE ADMINISTRATION OF THE COMPENSATION FUND AND RELATED QUESTIONS OF PROFESSIONAL CONDUCT, SOLICITORS' ACCOUNTS, AND PUBLIC RELATIONS

Mr. Robinette, Chairman, presented the Report of the Special Committee on the Administration of the Compensation Fund &c.:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED:

The SPECIAL COMMITTEE ON THE ADMINISTRATION OF THE COMPENSATION FUND begs leave to report:

On the 23rd December 1963 the Special Committee on the Administration of the Compensation Fund, &c., recommended that extensive spot examinations be made in three areas. This was approved by Convocation on 17th January 1964.

The undertaking required the cooperation of the Institute of Chartered Accountants of Ontario and the detailed arrangements were made with the help of the President of the Institute who undertook to ask chartered accountants to assist the Society to carry out its plan.

Three areas were selected in which a total of 493 lawyers practised.

Lists of all the lawyers in each area were compiled and chartered accountants assigned to carry out investigations. They were provided with authorizations and letters of introduction to the lawyers as well as copies of the Rules Respecting Accounts, detailed instructions how to carry out their investigation, a simple form of report to be filled out and a return addressed envelope to carry the report back to the Society.

At 8:00 p.m. on Monday 16th March, a meeting was held in Osgoode Hall for 38 chartered accountants who received final instructions from Mr. Robert Anderson to examine the accounts of every lawyer in Metropolitan Toronto east of the Don River. The investigation began at 9:00 a.m. on 17th March and was completed by late afternoon with but one or two exceptions.

At 8:00 p.m. on Wednesday 18th March, Mr. Anderson met with the chartered accountants in Windsor and gave them final instructions. They began examinations of the accounts of every lawyer in Windsor at 9:00 a.m. the following morning. One other area will be done shortly.

It is expected on the basis of present returns that the reports will fall into three broad categories.

1. Those which indicate that the Rules have been kept;
2. Those which disclose minor breaches; and
3. Those which on their face disclose serious breaches of the Society's Rules.

Where serious faults appear, Notice of Complaint will be drafted forthwith and where necessary a further investigation will be carried out.

Where minor faults have been discovered, members will be required within a period of three months to satisfy the Society by a certificate by a chartered accountant that their records have been brought into compliance with the Rules. Failure to supply such a certificate will result in Notice of Complaint and further investigation.

Where it appears that the Society's Rules have been kept no action need be taken.

67 reports had been received when this report was written.

1. 22 of them indicate the solicitors have kept the Rules.
2. 25 reports show faults as follows:
    (a) 19 made no reconciliation of clients' ledgers with clients' bank accounts.
    (b) 4 made no monthly comparison of the trust ledger accounts.
    (c) 3 kept no list of securities held for clients.
    (d) 2 kept no trial balance.
    (e) 2 had insufficient book records.
    (f) 1 maintained no trust bank account separately from his general bank account.
3. 2 reports indicate serious faults; in one instance no books were kept and in the other there were overdrawn clients' trust accounts.

(These three categories total 49, not 67, because lawyers grouped as firms kept books in common).

Three instances did not fit easily into any of the above categories: in one case no records were kept and the member stated that his practice was such that he required no trust records. In the second case the member had withdrawn from practice entirely, and in the third the member was away on holidays.

In summary:

Class 1 (no action needed)	45%
Class 2 (minor faults)	52%
Class 3 (serious faults)	3%

A further report will be made when all the reports have been considered.

THE REPORT WAS RECEIVED

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 18th March 1964, the following members being present: Messrs. Steele (Chairman), W. S. Martin (Vice-Chairman), and Messrs. Levinter, Strauss and P. D. Wilson.

PHILLIPS STEWART LIBRARY

At the request of Dean Leal the standing committee of the Faculty of Osgoode Hall Law School dealing with Phillips Stewart Library problems was invited to attend the meeting of your Committee to discuss the facilities, conditions and policies of the Osgoode Hall and Court House libraries with a view to formulating a long-term plan for acquisitions in the Phillips Stewart Library. The meeting was attended by Mr. Howland, the Chairman of the Legal Education Committee, Mr. Roberts, the Director of the Bar Admission Course, Miss Brown, librarian of the Judge's Library, Miss MacBeth, librarian of the York County Law Association and Mr. Honsberger, the secretary of that Association as well as by the Dean and members of the law school committee. A memorandum prepared by Mr. Lamek, the assistant librarian in charge of the Phillips Stewart Library, was presented and discussed.

Your Committee recommends, in view of the importance of the matters being considered and, in particular, of the urgent need for increased space for books and seating accommodation in the Phillips Stewart Library, that copies of this memorandum be sent to all the Benchers of the Society and that the matter be further considered at the April meeting of the Committee.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE—Mr. Wright

Your Committee met on Wednesday, the 18th March 1964, the following members being present: Messrs. Wright (Chairman), O'Brien (Vice-Chairman), Levinter, W. S. Martin, Strauss and P. D. Wilson.

RULES—Reporting Committee

The following is an extract from the Report of the Committee dated 19th February 1964:

> *"Notices and Advertisements — Ontario Reports*
>
> Further to certain advertisements which appeared recently in the Ontario Reports and the considerable comment thereon, your Committee recommends the addition of the following to the Reporting Rules:
>
> RULE (5)
>
> (a) The Reporting Committee may permit the publisher to publish with each part of the Reports such advertising not objectionable to the Society as the publisher may wish to print at his own expense, but all such advertising shall be entirely separate from the text of the Reports.
>
> (b) All advertisements placed in the Ontario Reports by solicitors except announcements should not disclose the solicitor's name but may include a box or telephone number."

Following a motion to adopt the Report, it was moved in amendment, seconded and carried, that the matter be referred back to the Reporting Committee for further consideration.

The Secretary reported that during the discussion on Rule (5) it was pointed out that the principle of (a) is already included in the present printing contract; and that there appeared to be considerable feeling that an advertisement should have the name and locality attached if the advertiser wishes.

Your Committee has carefully considered the proposed Rule, referring again to certain advertisements which appeared recently in the Ontario Reports and the considerable comment thereon, and recommends the addition of the following to the Reporting Rules:

RULE (5)

(a) The Reporting Committee may permit the publisher to publish with each part of the Reports such advertising not objectionable to the Society as the publisher may wish to print at his own expense, but all such advertising shall be entirely separate from the text of the Reports.

(b) Any advertisement placed in the Ontario Reports by a member of the Society which discloses his name must not in any way call attention to special qualifications or connections of the member.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 20th March 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Clement, Creighton, Raney, Sanders, Seaman, Slemin, Steele and Strauss. Mr. Robert F. Reid was also in attendance at the meeting.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following county and district law associations have filed their annual returns for the year 1963 in accordance with Rule 62 and have complied in all other respects with the requirements of the Rules and recommends that grants be made to them as follows:

Cochrane	$ 616.67
Kent	1,300.00
Leeds & Grenville	775.00
Oxford	950.00

RULES REVISION

Your Committee reports that it has approved the draft revision of the Rules relating to county and district law libraries, a copy of which is attached to and forms a part of this report, for transmission to the Special Committee on Revision of the Rules.

COUNTY LIBRARIES

RULE 1

In this part the word "county" includes the meaning "district"; the word "committee" means "the county libraries committee"; and the word "trustee" includes the meaning "director".

RULE 2

The committee is responsible to Convocation for county law libraries and may, subject to the approval of Convocation, make such arrangements and take such steps as the committee deems necessary or desirable to carry out this responsibility.

RULE 3

County law libraries for the use of the courts and the profession may be established and maintained in any county town, or in such other place as Convocation may approve.

RULE 4

(1) Subject to the direction of the committee the supervision of county libraries shall be the responsibility of the Chief Librarian of the Society, who shall also act as Inspector thereof. He shall report annually upon the state of each library and on such other matters as the committee directs.

(2) The Chief Librarian shall make such inspections of the county libraries as the committee directs and he may, with the approval of the committee, instruct one or more Assistant Librarians to make such inspections.

RULE 5

(1) Subject to the approval of Convocation the members of the profession in any county or union of counties:

(a) May form a law association;

(b) Shall cause such association to become incorporated as, how and when requested by Convocation;

(c) May cause such association to become incorporated initially as, how and when requested by Convocation.

(2) Upon the formation of every association trustees thereof shall be elected or appointed and upon incorporation the directors thereof shall be included and/or deemed to be the trustees of each association.

(3) It shall be provided by the Constitution or Charter of such association and shall be deemed to be included in the Charter or Constitution of each existing association that:

(a) The Trustees of the association shall hold all the books thereof in trust, to satisfy and repay to the Society all sums advanced or loaned by the Society to the association, in case of the dissolution or winding-up of the association, or the disposal of its property and shall return them to the Law Society when requested to do so under these rules.

(b) A room for the custody and use of the books, and proper arrangements for their custody, shall be provided, if possible, in the Court House.

(c) The library shall be for the use of:

  (i) Supreme, County and District Court Judges, Juvenile and Family Court Judges, Magistrates and Justices of the Peace.

  (ii) All members of boards or tribunals set up or provided for by any Statute, during their exercise of their functions in the county.

  (iii) Paid-up members of the Association and/or any other County Association.

  (iv) Members of the profession from outside the county while visiting the county in connection with any hearing or application.

(d) At least one-half of the fees received from its members by the Association and the whole of the aid at any time granted by the Society shall be applied in the purchase, binding, and repairing of books for the library, and in payment for telephone service, and of a salary of a librarian.

(e) The association shall make an annual report to the Society, showing the state of its finances, and of its library, for the fiscal year, which shall commence on 1st January, and end on 31st December, with such other particulars as may be required by the county libraries committee.

(f) (i) If in the opinion of the county libraries committee a county library is not being properly cared for or for any other reason it is not being satisfactorily maintained, the committee may, with the approval of Convocation, require the trustees of the responsible law association to return the books comprising the library to the Chief Librarian at Osgoode Hall at the expense of the association and the trustees shall do so.

  (ii) If such trustees fail or refuse to return the books as above, or if there are no trustees or not sufficient trustees capable of acting or willing to act, the association acknowledges that Convocation may take such steps to obtain the said books as it deems advisable and that any expense incurred thereby shall be paid by the said law association.

(4) Upon formation an association shall transmit to the Chief Librarian a certified copy of its Constitution and by-laws and all amendments made thereto, and upon incorporation a certified copy of its Charter and by-laws, and all amendments made thereto, containing the above provisions and proof of the condition of its funds and that proper accommodation has been provided for its library, with such other particulars as may be required by the county libraries committee.

(5) Where sittings of the Supreme Court of Ontario are held in two or more towns or cities in any county, the county law association may establish a library in each; if more than one library has been established in any county, the annual grant to the law association under Rules 7 and 8 may be increased by an amount not exceeding 50 per cent of the grant that would otherwise be made.

RULE 6

Where the committee is satisfied that the required conditions have been complied with, it shall make a report thereon to Convocation.

RULE 7

The grant in aid from the Society for the initial or first grant shall be double the amount of the contributions in money actually paid, or of the value of books actually given, from all local sources; such grant, however, not exceeding a maximum sum of one hundred dollars for each member of the society in the county or union of counties who is a member of the association. For each year thereafter, the grant in aid from the Society shall, subject to the provisions of Rules 8 and 11, be an amount double the amount of the fees actually paid to the association by its members who are members of the Society, or who are Judges, Magistrates or Justices of the Peace, up to a maximum sum of twenty-five dollars per annum for each such member unless Convocation otherwise directs, having regard to the report of the Chief Librarian on the condition of the respective libraries and their needs.

RULE 8

(1) In addition to the grant provided for by Rule 7 each association whose library is reported on satisfactorily by the Chief Librarian shall be entitled to receive an amount equalling two-thirds of the sum actually paid out by such association for telephone service and for salary of librarian. The amount shall, however not exceed $200.00 except in the case

of associations having a membership of fifty or more, which may receive not more than $300.00.

Where the Chief Librarian makes a special report in favour of an increased grant, the sums heretofore may be increased to not more than $400.00 and $600.00 respectively on the recommendation of the county libraries committee.

(2) Subject to the provisions of Rules 5(4) and 11, the total amount paid to any association except the County of York Law Association in any year shall not exceed $1850.00.

(3) Subject to the provisions of Rule 11, the total amount paid to the County of York Law Association in any year shall not exceed $2,500.00.

(4) Where the amount that would be paid to any association by way of annual grant in any year under the provisions of Rule 7 and of subsection (1) of this rule is less than $600.00, the grant may be increased to an amount not exceeding $600.00 if the county libraries committee is satisfied that the Association has received a reasonable amount in fees from its members, that the number of members paying association fees is a reasonable proportion of the members of the profession practising in the county or union of counties and that the provisions of Rule 9 have been observed.

RULE 9

The annual report of each association, with all other particulars required by the county libraries committee shall be transmitted to the Chief Librarian of the Society before the 31st day of January in each year, and all annual grants where such reports and particulars have been so transmitted shall be payable, upon the recommendation of the county libraries committee within one month after that date, provided that the association shall have taken due and proper care of the books, and shall have maintained and kept the library in the Court House or other place approved of by Convocation in a proper state of efficiency, and complied in all other respects with the requirements of the rules and regulations adopted from time to time by Convocation in relation to county libraries.

RULE 10

(1) Where an association is in default under these rules, Convocation may, in addition to any penalty provided by these rules, suspend all or part of a grant or grants otherwise payable for such time as Convocation directs or refuse to make any grant at all.

(2) Where the default consists only in the failure of an association to transmit to the Chief Librarian the annual report and particulars referred to in Rule 9 by the 31st of January and where this default has been rectified by the 30th day of May in the same year, the committee shall make a special report to Convocation and Convocation may either refuse the annual grant altogether or may, in its discretion, make a grant of a lesser sum than that provided for in Rules 7 and 8.

(3) Where any default continues beyond the 30th day of May aforesaid, the grant that would have been payable to a defaulting association except for such default shall, if made, be reduced by ten per cent.

RULE 11

Whenever any association, which has been established for two years and has regularly made the required returns and has complied with the requirements of the rules, shall make it appear to the satisfaction of Convocation that the association is unable to purchase such reports or text-books as are necessary to make the library thoroughly efficient and useful, having regard to the locality in which the library is established and the number of members of the profession who are members of the association, or that it requires financial assistance in any way, Convocation may, on the recommendation of the counties libraries committee, make a special grant either of books or of money to the association, or may advance by way of a loan without interest to the association any sum not exceeding the estimated amount of the next three years' annual grants, and such loan shall be repaid out of future annual grants, or otherwise, in such manner as Convocation shall direct; provided that security shall be given to the satisfaction of the committee for the due expenditure of any money grant or advance, and for the repayment of any money advanced by way of loan.

RULE 12

Convocation may, on the recommendation of the county libraries committee, furnish to any library such books for the use of students as may be required. The books so furnished shall be kept by the librarian of each association, and students shall be allowed to use the same on conditions similar to those in force from time to time in regard to similar books in the Phillips-Stewart Library at Osgoode Hall.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 20th March 1964, the following members being present: Mr. R. L. Seaman (Chairman), Mr. R. D. Steele, (Vice-Chairman), and Messrs. Ball, Clement, Creighton, Fennell, Ford, Raney, Sanders, Slemin and Strauss.

THE COMMISSIONERS FOR TAKING AFFIDAVITS ACT

The Committee considered a draft Bill forwarded by Mr. A. A. Russell, Q.C., Assistant Deputy Attorney General, with respect to a proposed amendment concerning the Commissioners for Taking Affidavits Act.

Your Committee recommended that no action be taken.

THE BELL TELEPHONE COMPANY OF CANADA

Your Committee opposed the request from the Directory Telephone Sales Supervisor of the Bell Telephone Company to establish a new heading for Legal Services for the use of non-lawyers.

SUB-COMMITTEE ON TRUST COMPANIES

The Secretary was instructed to write Mr. E. F. K. Nelson, Executive Director, The Trust Companies Association of Canada, and acknowledge his letter dated 4th March 1964, wherein he informed the Committee that the Trust Association was continuing its efforts to prepare a draft on the subject of relations of trust companies with the legal profession.

The Secretary was requested to inform Mr. Nelson that the members of your Committee look forward to receiving this draft as the matter has been outstanding since May of last year.

SOLICITOR'S TITLE SERVICES LIMITED

Your Committee recommends that it oppose the application for incorporation of Solicitor's Title Services Limited.

UNAUTHORIZED PRACTICE GENERAL

The Committee recommended that one matter under investigation stand for further consideration, and that another matter be set over to the next meeting.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Wright

Your Committee met on Wednesday, the 18th March 1964, the following members being present: Messrs. Levinter (Chairman), Wright (Vice-Chairman), Ford, Steele and Strauss.

ONTARIO LEGAL AID PLAN 1963

Attached hereto as part of this Report is the Report of the Provincial Director for the year 1963.

The Committee approves and adopts the Report and refer it to Convocation for its information and for distribution to the Benchers.

OFFICE OF THE ASSISTANT PROVINCIAL DIRECTOR — *Part-time Solicitor*

In a Report dated 17th October 1963 and adopted by Convocation on the 18th October, your Committee recommended that in view of the increase in the work of the office of the Assistant Provincial Director, Mr. John Weisdorf be authorized to engage a part-time solicitor on a three months trial basis. Mr. Alan Mintz was appointed as a part-time solicitor from 1st November 1963.

In a letter of 3rd March 1964 Mr. Weisdorf asks that Mr. Mintz be continued as an assistant solicitor from 1st February 1964.

Your Committee recommends that Mr. Mintz be continued as assistant solicitor.

LEGAL AID — YORK COUNTY

Mr. Elmore Houser, Q.C., President of the York County Law Association, informed the Chairman that he would like to discuss certain matters of legal aid in York County with your Committee. Mr. Houser and other members of the Trustees of the County of York Law Association were invited to attend the meeting on this date, but Mr. Houser requested that the matter stand for one month.

Your Committee recommends that the matter be referred to Messrs. Strauss and Ford to confer with Mr. Houser and other Trustees, and with Mr. Weisdorf.

TO THE LEGAL AID COMMITTEE

The Provincial Director begs leave to present his twelfth Report for the year 1963.

Reports have been received from all but 4 Counties this year. The information contained herein provided information only with respect to those Counties which have compiled regular records, and does not include those services which are provided by individual lawyers who recognize their duty to provide voluntary assistance free of charge to the indigent.

Our thanks are extended to the entire legal profession whose overwhelming support has made possible the provision of legal services to members of the public who find themselves in financial difficulties. We further acknowledge with thanks the financial aid provided us by the Government and Attorney-General of this Province.

Legal Clinics were held in fourteen (14) Counties and Districts, in nine (9) regularly, and in five (5) as required. The following Counties and Districts held clinics throughout the year:

Algoma	19	Lambton	8
Bruce	12	Lincoln	19
Carleton	23	Middlesex	5
Elgin	19	Northumberland and Durham	19
Essex	51	Wellington	19
Frontenac	19	Wentworth	52
Grey	19	York	46

A total throughout the Province of 310.

The number of Counties holding clinics has increased by two since 1962, however the total number of clinics held has increased by sixty-five percent (65%). The total number of applicants as set out below has increased, the greatest increase taking place in York County.

During the last year, the Assistant Director made regular attendances at the penitentiaries in the Kingston area for the purpose of interviewing applicants for legal aid in these institutions. The Assistant Director has attended the penitentiaries each month and has interviewed one hundred and thirty-four (134) applicants during 1963.

Assistance in criminal matters was provided in every County and District reporting.

The interest of the Legal Aid Committee of this Society is of prime importance to the Bar of Ontario, particularly in the areas of public relations, guidance and control, and the work done by the Committee and other members of the Society can be of very great assistance in the solution of such problems as may be encountered by local directors as well as individual practitioners. The Legal Aid Committee is most anxious that any problems be brought to its attention through the Provincial Director, Mr. W. Earl Smith, Q.C., or his assistant, Mr. John Weisdorf, both of whom will render their fullest assistance with enthusiasm and dispatch in the interest of promoting the full and efficient functioning of the Ontario Legal Aid Plan.

With the information at our disposal, the following figures indicate legal work done in 1963:

Applications	*1963*	*1962*	*1961*	*1960*
Civil	10,931	8,389	6,405	4,553
Criminal	2,338	1,990	2,300	1,909
Aid				
Civil	10,300	7,210	5,303	3,658
Criminal	1,656	1,398	1,735	1,414

York County accounted for 8,534 applicants in Civil matters, while aid was given in 8,234 cases; 1,055 applications were received in criminal matters, and aid was given in 713 cases. The great bulk of the 8,234 cases consisted of advice only, or were otherwise disposed of in the clinics or in the office of the Assistant Director of Legal Aid.

During the last year Legal Aid defended thirteen (13) persons accused of murder, and three hundred and five accused of other serious charges.

To the Chairman and members of the Legal Aid Committee I wish to extend my thanks for their guidance and counsel.

On behalf of the Committee and personally, I wish to thank the local Advisory Committee, Local Directors, and members of the profession generally for their contribution to the Legal Aid Plan.

"W. Earl Smith"
Provincial Director.

THE REPORT WAS ADOPTED

PROFESSIONAL CONDUCT COMMITTEE—Mr. Slemin

Your Committee met on Thursday, the 19th March 1964, the following members being present: Messrs. Slemin (Chairman), Fennell, Howland, O'Brien, Sheard and Strauss.

Mr. R. F. Reid, Q.C., was present by request.

Publication of Professional Conduct Book

At a meeting of the Committee on the 16th January 1964 certain information from law book companies was considered and it was directed that the matter stand for further consideration.

At a meeting on the 20th February the Committee considered tenders from three of the law book companies, and again recommended that the matter be referred back to Mr. R. F. Reid, Q.C. for further consideration.

At its meeting on this date your Committee considered the information previously before the Committee, and the further information presented by Mr. Reid.

Your Committee recommends that the offer of the Canada Law Book Company Limited be accepted on the following terms: That the Company print 6,000 copies of the Professional Conduct Book of approximately 72 pages, with white cover and the Law Society's crest in gold, at a cost including mailing charges of $1.00 a volume, future rulings, etc. to be printed in the Ontario Reports at contract prices on perforated pages which may be removed and placed in the book. The index to be reviewed periodically, perhaps once a year.

Your Committee recommends that a copy of the book be sent to all members of the Law Society in good standing.

In its Report of 16th January 1964 your Committee recommended that Rulings 1 - 34, except Ruling 30, be printed forthwith in the Ontario Reports.

Your Committee recommends that in view of the fact that the book will be printed and distributed in the near future, the printing in the Ontario Reports be dispensed with.

THE REPORT WAS ADOPTED

THE LAW SOCIETY AMENDMENT ACT 1964

The Treasurer reported to Convocation that he had requested the Attorney-General to place before the Cabinet and the Legislature for enactment at this Session, amendments as approved by Convocation with respect to ex officio Benchers, the automatic suspension of members in arrears for fees, payment out of the Compensation Fund of the cost of its administration, and agreements for the printing or publishing of Reports; and that the Attorney-General replied that all amendments, with the exception of the one referring to automatic suspension for non-payment of fees, will be placed before the Legislature.

CORRESPONDENCE

The Treasurer read the following correspondence:

A letter from N. A. Robertson, Under-Secretary of State for Foreign Affairs, with reference to the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, as adopted at its 18th Session (a copy of the Declaration attached).

Letter from Mr. C. F. H. Carson, Esq., Q.C., thanking the Treasurer and Benchers for their expression of sympathy, and flowers on the death of his wife.

Letter from Mr. and Mrs. Eric Silk and Mrs. Peter Slaght expressing their appreciation on receiving a copy of the minute of Convocation with reference to the late Arthur G. Slaght, Q.C.

ORDERED that this correspondence be received and filed.

RE M. A. SEYMOUR, Q.C.

The Treasurer reported that the City of St. Catharines had recently honoured Mr. Seymour on his retirement as City Solicitor after forty-five years of service in that capacity.

CONVOCATION THEN ROSE

J. D. Arnup,
Treasurer

[1964] 2 O.R.

MEETING OF CONVOCATION

Friday. 10th April 1964
10:30 a.m.

Present:

The Treasurer and Messrs. Ball, Beaton, Creighton, Fennell, Ford, Gray, Harris, Howland, Jessup, Keith, Levinter, Maloney, W. S. Martin, O'Brien, Pattillo, Raney, Robins, Roebuck, Sanders, Seaman, Seymour, Sheard, Steele, Strauss, Weir, P. D. Wilson, R. F. Wilson, and Wright.

The Minutes of the meeting of Convocation of 20th March 1964 were read and confirmed.

Law Society Amendment Act 1964

The Treasurer referred to his announcement to Convocation on 20th March 1964 and reported that Bill No. 100 had been introduced to the House and stated that when the Bill was considered by the Legal Bills Committee he would attend on behalf of the Society.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on Thursday, the 9th April 1964, at 4:30 p.m., the following members being present: W. G. C. Howland, Chairman, S. L. Robins, Vice-Chairman, and Messrs. Ball, Seaman, Sheard and R. F. Wilson.

BAR ADMISSION COURSE

Examination Results — Bar Admission Course

The report of the Director of the Bar Admission Course on the results of the examinations was submitted showing that 38 have passed with Honours, another 204 have passed, and 8 have failed.

Bar Admission Course Bursary

A letter from the Director is before the Committee reporting that Mr. Bruce Finkler, an instructor in the Law Office Management Section, has returned his honorarium of $200.00, asking that it be used as a bursary for students in the teaching period of the Bar Admission Course. This is the third year he has given the same sum to be used in this way.

Noted with Thanks.

OSGOODE HALL LAW SCHOOL

LAW DEGREES — CONFERRED ON MEMBERS WHO HAVE NONE

A letter from Edward M. Shortt, Esq., Q.C., of London, Ontario, is before the Committee in which he suggests that the Society should grant a legal degree, LL.B., B.C.L., or B.L., to members who are in good standing, have practised more than five years and have no LL.B. degree.

Your Committee recommends that no action be taken and that Mr. Shortt be so advised.

SPECIAL LECTURERS

The re-appointment of all but one of the Special Lecturers for 1964 was dealt with at the meeting of the Legal Education Committee on 20th February 1964. At that time consideration was being given to the appointment of a full-time lecturer in Taxation and related subjects. It has not been possible to make a full-time appointment and, accordingly, the Dean recommends that Harold Purdy Crawford be reappointed Special Lecturer for one year from 1st July 1964, to conduct the course in Income Tax (42 hours) and to share responsibility for instruction in the course in Accounting (36 hours).

Approved.

STUDENT LOAN FUND

The report of the Osgoode Hall Law School Loan Committee meeting of 8th April 1964, is before the Committee. The Loan Committee recommends that a loan be made in the amount of $300.00.

Received.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on Thursday, the 9th April 1964, at 4:00 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Mr. R. F. Wilson.

SPECIAL CALL TO THE BAR — THE MINISTER OF JUSTICE

BY RESOLUTION OF CONVOCATION 20TH MARCH 1964

The Honourable Guy Favreau, P.C., Q.C.

Noted.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

BAR ADMISSION COURSE

A list is submitted of 239 candidates who have successfully completed the fifth Bar Admission Course, have filed the necessary documents and paid the required fee of $210.00, and who now apply for call to the Bar and to be granted Certificates of Fitness.

Approved.

DIRECT TRANSFER & COMMONWEALTH TRANSFER

Your Committee considered applications for transfer and made recommendations thereon.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. Sheard

Your Committee met on Wednesday, the 8th April 1964, the following members being present: Messrs. Sheard (Vice-Chairman in the Chair), Harris, Howland, Weir, P. D. Wilson and R. F. Wilson.

FINANCIAL STATEMENT, 1st July 1963 to 31st March 1964.

Approved.

REFUND — *Bar Admission Course*

Miss Eve Hargraft was admitted as a student-at-law on the 1st September 1963 and has since served under Articles. On 2nd April she notified the Director of the Bar Admission Course that she was discontinuing and proceeding to Alberta where she hoped to be called to the Bar. She asks for a refund of her Admission Fee of $101.00

Your Committee recommends that the admission fee be refunded, less an administrative charge of $25.00; and that the name of Eve Hargraft be removed from the Common Roll.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

April 7th — Convocation Hall — for the Graduation Banquet for the Graduating Class of the Osgoode Hall Law School.

April 14th — Barristers' Lounge, at 4 p.m. — Moot Court Committee for annual presentation of Awards and Prizes.

Approved.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE—Mr. O'Brien

RE: JOHN ROBERT CRERAR

Moved by Mr. O'Brien, seconded by Mr. Wright, that the solicitor be allowed to have his name removed from the Records of the Society at his own request.

Carried.

REPORT ON WORK OF THE DISCIPLINE COMMITTEE — 1963

Mr. O'Brien, Vice-Chairman, reported briefly on the work of the Discipline Committee for the calendar year 1963, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman or Vice-Chairman, and the Secretary or Deputy Secretaries, and the number investigated by the Committee, with action taken thereon.

THE REPORT WAS RECEIVED

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 8th April 1964, the following members being present: Messrs. Harris, in the Chair, Strauss and P. D. Wilson.

AMERICAN AND CANADIAN ASSOCIATIONS OF LAW LIBRARIES

The American Association of Law Libraries and the recently formed Canadian Association of Law Libraries will hold their annual meetings at St. Louis, Missouri, between 28th June and 2nd July. The Assistant Librarian, Miss McCormick is secretary of the Canadian association. Your Committee recommends that the Chief Librarian and Miss McCormick attend these meetings.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 10th April 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Harris, Martin, Raney, Sanders, Seaman, Steele and Strauss.

COCHRANE ASSOCIATION

Your Committee reports that an application has been made by the Cochrane Law Association for assistance under Rule 58, sub-section 5, a new library having been formed in the town of Timmins. Your Committee recommends that a supplementary grant be made to this association of $300.00.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following county and district associations have filed their annual returns for the year 1963 in accordance with Rule 62 and have complied in all other respects with the requirements of the Rules and recommends that grants be made to them as follows:

Brant	$1,200.00
Frontenac	1,150.00
Haldimand	600.00
Ontario	1,641.67
Rainy River	600.00
Sudbury	1,725.00

RULES REVISION

Your Committee recommends that the wording of subsection 4 of Rule 5 of the draft Rules respecting county and district libraries approved at the March meeting of Convocation be changed so that the subsection will read as follows:

Upon formation an association shall transmit to the Chief Librarian a certified copy of its Constitution and By-laws and thereafter shall forward all amendents made thereto as and when they are made, and upon incorporation a certified copy of its charter and By-laws and thereafter all amendments made thereto as and when they are made, containing the above provisions and proof of the condition of its funds and that proper accommodation has been provided for its library, with such other particulars as may be required by the County Libraries Committee.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE

Mr. Seaman, Chairman, reported orally on several matters under consideration by the Committee.

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on Thursday, the 9th April 1964, the following members being present: Messrs. W. S. Martin (Chairman), Ball, O'Brien, Pattillo, Raney and Wright.

PUBLIC RELATIONS PROGRAMME OF THE MINNESOTA STATE BAR ASSOCIATION

At the meeting of the Committee on the 20th February, the Chairman presented a number of pamphlets on various services of a solicitor which are printed and distributed by the Minnesota State Bar. The Committee recommended that the matter be referred to a sub-committee consisting of Messrs. Pattillo, Ball and Gray to consider and report back on all phases of this Public Relations Programme, including cost and method of distribution, etc.; and the Chairman was authorized to consult a Public Relations Consultant of his choice.

Mr. Pattillo, the Chairman, reported on his correspondence with the Minnesota State Bar Association, and on his consultations with Mr. James Cowan, a Public Relations Consultant.

Your Committee recommends:

(1) that the Chairman of your Committee be authorized to retain Mr. James Cowan for advice, not only on a public information programme similar to that of the Minnesota State Bar Association, but for suggestions for a public relations programme for the Law Society of Upper Canada and the approximate cost thereof; and that Mr. Cowan be invited to attend the next meeting of your Committee.

(2) consideration of a public relations programme similar to that of the Minnesota State Bar Association, and that the Sub-Committee be authorized to set up a test pamphlet on the subject "Buying a Home — Why do you need a Lawyer", or a similar subject, and that Mr. W. G. C. Howland be requested to suggest a writer for the pamphlet on this subject; that the pamphlet be revised by your Committee and Mr. Cowan and presented to Convocation with an estimate of approximate costs.

MISSOURI BAR — Prentice Hall Survey; A Motivational Study of Public Attitudes and Law Office Management

At the meeting of the 20th February the Chairman presented a copy of this Survey and the Committee recommended that the matter be referred to a sub-committee consisting of Messrs. Raney (Chairman), McCulloch and O'Brien to consider the Survey and report on how its recommendations might apply in Ontario. The Chairman, Mr. Raney, has been in correspondence with various officials of the Missouri Bar, and with the Chairman of the Public Relations Committee of the Canadian Bar Association.

Mr. Raney, the Chairman, reported briefly on his correspondence with officials of the Missouri Bar Association, and reported that a one day Lawyers' Practising Institute based on the recommendations of the Survey, would be held in various cities in Missouri beginning late in April and continuing until June. Your Committee is of the opinion that personal attendance at this Institute would be of great value in considering the recommendations of the Missouri Bar Prentice-Hall Survey as they may relate to a public relations programme in Ontario, and that the programme of the Institute might well be considered by the Continuing Education Committee.

Your Committee recommends that Mr. Fraser Raney, Q.C. and Mr. S. L. Robins, Q.C., Vice-Chairman of the Legal Education Committee and Chairman of the Continuing Education Committee, be requested to attend this Institute at the expense of the Continuing Education Committee.

NEXT MEETING

Your Committee recommends that its next meeting be held on 14th May at 11 a.m., and that Mr. James Cowan be invited to attend.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE OF THE ADMINISTRATION OF THE COMPENSATION FUND AND RELATED QUESTIONS OF PROFESSIONAL CONDUCT, SOLICITORS' ACCOUNTS, AND PUBLIC RELATIONS

At the request of the Treasurer, Mr. R. F. Wilson presented the Report of the Special Committee on the Administration of the Compensation Fund and Related Questions of

Professional Conduct, Solicitors' Accounts, and Public Relations:

On 17th January 1964, Convocation adopted a report of this Committee containing a recommendation to the effect that every member be required to furnish an auditor's certificate that his books are properly maintained and that such certificate be a prerequisite to the issuance of an annual practising certificate.

Appended herewith as a part of this report is a draft auditor's certificate. The Committee has not had an opportunity to consider the draft and it is brought directly to Convocation by the Chairman of this Committee at the suggestion of the Treasurer.

On 17th January 1964, Convocation approved a recommendation of this Committee that extensive spot examinations be made of the books and records of all the solicitors in three areas: Toronto east of the Don, the City of Windsor and the City of Ottawa. Investigations were conducted in those areas on 16th March, 18th March and 23rd March respectively.

Your Committee reported to Convocation on 20th March 1964, the progress to that date. Since then the results of the investigation have been received, and an analysis of the results is submitted.

Moved by Mr. R. F. Wilson, seconded by Mr. Robins, that the Report be adopted.

Moved in amendment by Mr. Ball, seconded by Mr. Maloney, that the Report, including the draft Certificate, be referred back to the Special Committee for further consideration and report.

The amendment was carried.

CORRESPONDENCE

The Treasurer read the following correspondence:

Letter from Miss Marianne Scott, President, Canadian Association of Law Libraries, thanking the Law Society for entertaining the Executive of the Association at luncheon on Saturday, 21st March 1964.

Letter from D. A. C. Harvey, Director of Athletics, Osgoode Hall Law School, thanking the Treasurer and Benchers for the dinner given on 17th March to the members taking part in the various athletic programmes of the Osgoode Hall Law School.

ORDERED that this correspondence be received and filed.

PRESENTATION

Mr. Colin M. A. Strathy, Q.C. has presented to the Law Society the file of his father, the late G. B. Strathy, Q.C. on the Osgoode Hall Rifle Association of the First War, 1914-18.

ORDERED that the presentation be accepted with thanks, and that the file be referred to the Committee on Muniments and Memorabilia.

ACADEMIC CONVOCATION — *25th June 1964*

The Treasurer announced that at the Academic Convocation, the degree of LL.D. honoris causa would be conferred on the Honourable James Chalmers McRuer, Chief Justice of the High Court, and Mr. D. Park Jamieson, Q.C.

CONVOCATION ADJOURNED AT 12:30 P.M.

The Treasurer and Benchers entertained at luncheon the Honourable Guy Favreau, P.C., Q.C., Minister of Justice and Attorney-General of Canada, the Honourable Dana H. Porter, Chief Justice of Ontario, the Honourable Arthur A. Wishart, Q.C., Attorney-General of Ontario, and R. J. Roberts, Esq., Q.C., Director of the Bar Admission Course.

The Treasurer and Benchers and their guests then proceeded to the O'Keefe Centre.

CONVOCATION RESUMED *at 2:30 p.m., a quorum being present*

The body of the theatre was occupied by the graduates of the Bar Admission Course, their families and friends.

HONORARY CALL TO THE BAR

Mr. Terence Sheard, Q.C., Chairman of the Admissions Committee, presented to the Treasurer and Benchers for Call to the Bar —

The Honourable Guy Favreau, P.C., Q.C.,
Minister of Justice and Attorney-General of Canada.

The Treasurer conferred upon him the degree of Barrister-at-Law, and called him to the Bar of Ontario.

The Honourable Arthur A. Wishart, Q.C., Attorney-General of Ontario, announced the appointment of the Honourable Guy Favreau as One of Her Majesty's Counsel Learned in the Law in Ontario, and presented him with his Patent.

CALL TO THE BAR

Mr. Terence Sheard, Q.C., Chairman of the Admissions Committee, then presented to the Treasurer and Benchers the following candidates:

WITH HONOURS

Marvin Adrian Catzman — and the Treasurer's Medal, The Law Society's First Prize, the Lawyers Club First Prize, The Commercial Law and Company Law Prize, The Reading Law Club Prize, and The Reading Law Club President's Prize.

Martin Leo O'Brien — and The Law Society Second Prize; The Lawyers Club Second Prize.

Peter Henry Mandell — and The Law Society's Third Prize.

Joseph Burnett — and The Criminal Procedure Prize.

Robert Oliver Snyder
Roydon Joseph Kealey
Barry Donald Brown
Peter John Brunner
Morton Lester Ainsley
Richard Jay Parr
David Bramwell Horsley
Richard Wilfrid Joel Posluns
Joseph Maziarz
Robert John Ord
Stanley Ronald Ellis
Melvin Wasserman
Vernol Irving Rogers
Robert Eugene Rye
Milton Joseph Bernstein
William Braverman
Dana Livingstone Innes Smith
Robert Norman Granger
Maxwell Lawrence Rotstein
Lawrence Harvey Iron
Barry Benzion Widman
Shannon Howard Martin
Joseph Lawrence Pilon
Patrick Daniel White
Ronald Samuel Wunder
Arthur Murray Barat
Perry Brooks
William Herbert Jarvis
Allan Stanley Cooper
Mary Lou Dingle
Gilbert Stuart Bennett
Marvin Bowman Daboll
James H. McCreadie McNair

Stephen Harry Aarons
David Freiman Alexandor
Walter Nicholas Ancuta
William Andrew Andrachuk
Grant Heath Armstrong
David William Axler
Albertus Johannus Bakker
Larry Lawrence Leopold Band
John Montgomery Barber
Roger Albert Barrette
George P. A. Beavers
Ronald Gary Belfoi
Judith Miriam Bell
Jean Pierre Benoit
Daniel Reuben Bereskin
Harold Russell Hugh Berry
Allan Russell Black
Yaroslaw Roman Botiuk
Alfred Franklin Breglia
Gordon Robert Brock, Jr.
Edwin Lyle Brown
John Paul Burk
Peter Alexander Burns
William Edwin Byers
William Bernard Calder
Anthony Camisso
Gordon Donald Campbell
Michael Edward Caruso
John Joseph Cavarzan
James Barton Chadwick
Douglas George Chapman
Anthony Edward Charlton
Gerald Jacob Charney
Sydney Chertkoff
William George Chizmar
Dennis Frank Cole
Stanley Robert Cole
Laurence T. G. Collins
Roger Patrick Peter Cooney
Joel Norman Cooper
Donald John Cosway
Carol McGillvery Creighton
Jon Leslie Creighton
Douglas Charles Cryderman
Anthony Etalo Cusinato
Francois Joseph Daigneault
Gerald Francis Day
John Louis den Ouden
John Joseph DiPietro
Thomas Lyons Docherty
Sheldon Drebin
Victor Drevnig
Cameron James Ross English
Lee Kenneth Ferrier
William John Festeryga
Roderick John Flaherty
Ivan Fleischmann
Normand Joseph Forest
Douglas Hugh Forsyth
Donald Fraser
Donald William Fulton
Harold Chalmers Funk
Michael T. J. Garvey
Alfredo Romeo Gatti
John Lawrence Getliffe
Gordon David Goldman
David Grader
Willard Irwin Graff
Edward Walker Graves
David Beryl Greenspan
Edward John Gresik
Anthony John Grey
Gilles Guenette
Lloyd Gerdell Harlock
Karl John Clayton Harries
Ronald Alan Harris
John Michael Hart
Robert Stanley Hart
Alexander Havrlant
John Hough Haydon
Caleb James Hayhoe
Laurence Dingman Hebb
Kenneth James Higson
Robert Martin Hogan
Wayne Leonard Hooey
George Cyril House
Richard Thomas Howitt
William James Hubar
John Dodsley Humphreys
John Alexander Inch

Terence E. G. Jabour
William Alexander Jenkins
John Robert Rogers Jennings
Francis Adam Johnston
Jeremy Johnston
Robert Spiro Karfell
Charles Burton Kates
Brian Winslow Kempster
John Phillips Kerr
Albert Kerzner
Laurence Macdonald Killaly
Barry Leslie Kirshin
John Cooper Kirwin
Robert Joseph Laughton
Bertram Harold Leggat
George Peter Longo
Charles David Macdonald
Duncan McNie Macfarlane
Ian MacGregor
John Hedley Macintosh
Donald John MacMillan
John Eric MacNaughton
William Hubert Peter Madorin
Samuel D. Marcus
Anthony Robert Mariotti
Charles Cochran Mark
Donald George Martin
Gerald Yaroslaw Martiniuk
David Ian Matheson
Norman Gerald Matusiak
Terence Vincent McCann
Dougald Robert McDermid
John David McElwain
Ross William McFarlane
Robert John Charles McMahon
Ronald Gordon McMillan
Robert Paul McTaggart
Patrical Delores Carter-Coulton McTavish
Willson Alexander McTavish
William Jordan Meyer
Delbert Arnold O'Brien
John Edwin O'Callaghan
Benjamin Vincent O'Donovan
Norman Napoleon Paquette
Muray Edward Terrill Payne
John Clair Peacock
Wilfrid Ernest Drury Peters
Richard Pikna
Jack Louis Pinkofsky
Alan Francis Norman Poole
Julian Harris Porter
Donald James Prince
Philip DeBlois Quintin
George Colin Rayner
James Allen Rendall
Francis Winstanley Rhodes
Donald Allan Riou
Henry Ritchie
Joseph Edward Roach
James Stewart Robertson
Peter Eugene Robinson
Robert Louis Robinson
Allan Harvey Root
William Peter Rosenfeld
Daniel Frederick Ross
David Charles Ross
Ronald Nicholas Rudan
Bruce LeRiche Rudd
Roger Elias Salhany
Stuart Beverley Scott
Mardon Robert Scriven
John Edgar Sexton
Eric John Shaver
John M. F. Shoemaker
Murray John Shtal
Louis D. Silver
Joel Grant Sinclair
Douglas Fletcher Smith
Walker McKay Smith
Arnold Somers
Crawford Ralph Spencer
Ronald Earl Stauth
Donald John Steadman
George Colin Stevens
Jack Marshall Stitt
David James Balkwill Stock
Thomas Frederick Storie
Ione Glorianne F. Stromberg
Gerald Abraham Swaye

Andrew Szabo
Michael Walter Tesluk
Peter Francis Thalheimer
Ronald Gwyn Thomas
Donald Andrew Thompson
Frederick D. A. Tickell
Eugene Walter Trasewick
Gerald Stuart Tuck
John Francis Van Raay
Leonard Verbeek
Norfi Anthony Joseph Volpe
Donald Ernest Wakefield
Thomas Roy Warwick
Paul Hubert Watson
Steve Cyril Wengle
Paul Don Wessenger
John James Leighton White
George Arthur Wilson
Joel Wilfred Winch
Wilbert H. M. Winchester
Ted Theodore Whol
Colin Terris Wyse
Melvin Irving Zackheim

The Treasurer then conferred upon the candidates the degree of Barrister-at-law and Called them to the Bar of Ontario.

The Treasurer then presented the Treasurer's Medal to —

MARVIN ADRIAN CATZMAN

and the following prizes:

The Law Society's First Prize — Marvin Adrian Catzman
The Law Society's Second Prize — Martin Leo O'Brien
The Law Society's Third Prize — Peter Henry Mandell
The Criminal Procedure Prize — Joseph Burnett
The Commercial Law and Company Law Prize — Marvin Adrian Catzman
The Lawyers Club First Prize — Marvin Adrian Catzman
The Lawyers Club Second Prize — Martin Leo O'Brien
The Reading Law Club Prize — Marvin Adrian Catzman
The Reading Law Club President's Prize — Marvin Adrian Catzman

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The Honourable Guy Favreau, P.C., Q.C., addressed the new members of the Bar and their guests.

CONVOCATION THEN ROSE

Following the meeting of Convocation a court room was set up in the O'Keefe Centre with the Honourable Dana H. Porter, Chief Justice of Ontario, presiding.

Mr. Terence Sheard, Q.C., presented the candidates to His Lordship.

At the conclusion of the ceremonies the Treasurer and Benchers entertained the new barristers, their families and friends at a reception in the main lounge, lower ground floor of the O'Keefe Centre.

J. D. ARNUP
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 15TH MAY 1964
10:30 a.m.

PRESENT:

Messrs. Arnup, Ball, Beaton, Clement, Common, Fennell, Gray, Gregory, Harris, Howland, Keith, Levinter, Maloney, G. A. Martin, W. S. Martin, McLaughlin, O'Brien, Robins, Seaman, Seymour,, Sheard, Slemin, Steele Strauss, P. D. Wilson, R. F. Wilson, and Wright.

Mr. W. J. Beaton, Q.C. was appointed Chairman.

ELECTION OF TREASURER

Mr. John Douglas Arnup, Q.C. was elected Treasurer for the ensuing year.

The Treasurer expressed to Convocation his deep gratitude for the complete cooperation and warm support he had had from all Benchers during the past year, and for the immense amount of work which so many benchers, especially those on the Discipline Committee, had performed with cheerfulness and ability.

He stated that our chief problems, continuing or imminent, appeared to be:

(1) The enormous total of claims against the Compensation Fund, raising problems not only as to how to pay them, but as to how to give them all the thorough review they require.

(2) The continuing need of supervision of solicitors' accounts.

(3) The formulation and implementation of a broader basis of legal aid.

(4) Problems of space and accommodation for the Secretary's Staff, for the Bar Admission Course and the Osgoode Hall Law School, and for Committees of Convocation, especially the Discipline Committee.

The Treasurer, on behalf of himself and all members of Convocation, expressed appreciation of the efficiency and cheerfulness of the Secretary, his Deputies and staff in the discharge of their duties, and of the importance of the public relations aspects of the work of the Secretary's office, since the principal contact between the public and the Society was through that office.

The minutes of the meeting of Convocation of 10th April 1964 were read and confirmed.

Appointment of Standing Committees

At the request of the Treasurer, Mr. Robins presented the report of a meeting of the Treasurer, Chairmen and Vice-Chairmen of Standing Committees:

To the Benchers of the Law Society of Upper Canada in Convocation Assembled:

A meeting of the Treasurer and Chairmen and Vice-Chairmen of the Standing Committees as presently constituted was held on Wednesday, 13th May 1964, and they recommend that the constitution of the Standing Committees for the ensuing year be as follows:

1. Finance Committee

Messrs. Cassels
Clement
Common
Gray
Gregory
Harris
Howland
Keith
Levinter
W. S. Martin
McLaughlin
Sheard
Slemin
Steele
Weir
P. D. Wilson
R. F. Wilson

2. Discipline

Messrs. Ball
Common
Creighton
Ford
Gray
Howland
Jessup
Keith
Levinter
Maloney
G. A. Marti
McCulloch
McLaughlin
O'Brien
Pattillo
Rigney
Robins
Seymour
Slemin
P. D. Wilson
R. F. Wilson
Wright

3. Legal Education

Messrs. Ball
Creighton
Gregory
Sanders
Seaman
Seymour

Howland
Jamieson
Keith
Pattillo
Robins
Sheard
Slemin
Weir
Williston
R. F. Wilson

4. LIBRARY
Messrs. Cassels
Chitty
Common
Harris
Keith
Levinter
Maloney
W. S. Martin
McCulloch
Slemin
Steele
Strauss
Williston
P. D. Wilson

5. UNAUTHORIZED PRACTICE
Messrs. Ball
Clement
Creighton
Fennell
Ford
Jessup
Levinter
W. S. Martin
Raney
Sanders
Seaman
Seymour
Sheard
Slemin
Steele
Strauss
Weir
Williston

6. REPORTING
Messrs. Cassels
Common
Ford
Harris
Keith
Levinter
Maloney
G. A. Martin
W. S. Martin
McCulloch
McLaughlin
O'Brien
Strauss
P. D. Wilson
Wright

7. COUNTY LIBRARIES
Messrs. Ball
Clement
Creighton
Fennell
Harris
Jessup
W. S. Martin
Raney
Sanders
Seaman
Slemin
Steele
Strauss
Weir

8. PUBLIC RELATIONS
Messrs. Ball
Gray
O'Brien
Pattillo

Jamieson
W. S. Martin
McCulloch
Raney
Weir
Wright

9. CONTINUING EDUCATION
Messrs. Gray
Howland
Jamieson
Maloney
G. A. Martin
O'Brien
Robins
Slemin

10. ADMISSIONS
Messrs. Howland
Gregory
Jamieson
Pattillo
Robins
Sheard
R. F. Wilson

11. LEGAL AID
Messrs. Chitty
Common
Ford
Jamieson
Keith
Levinter
Maloney
Pattillo
Seymour
Steele
Strauss
Williston

12. PROFESSIONAL CONDUCT
Messrs. Fennell
Howland
Keith
O'Brien
Slemin
Strauss
Wright

Moved by Mr. Robins, seconded by Mr. Howland, that the Report be adopted.

Carried.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen and Vice-Chairmen.

ELECTION OF CHAIRMEN AND VICE-CHAIRMEN

Convocation having resumed, the Reports of the Standing Committees reporting the election of Chairmen and Vice-Chairmen, were adopted:

1. FINANCE COMMITTEE
Chairman—W. P. Gregory
Vice-Chairman—Terence Sheard

2. LEGAL EDUCATION COMMITTEE
Chairman—W. G. C. Howland
Vice-Chairman—S. L. Robins

3. UNAUTHORIZED PRACTICE COMMITTEE
   Chairman—R. L. Seaman
   Vice-Chairman—A. R. Jessup
4. COUNTY LIBRARIES COMMITTEE
   Chairman—L. M. Ball
   Vice-Chairman—S. E. Fennell
5. ADMISSIONS COMMITTEE
   Chairman—Terence Sheard
   Vice-Chairman—W. G. C. Howland
6. PROFESSIONAL CONDUCT COMMITTEE
   Chairman—Peter Wright
   Vice-Chairman—S. E. Fennell
7. DISCIPLINE COMMITTEE
   Chairman—Brendan O'Brien
   Vice-Chairman—D. A. Keith
8. LIBRARY COMMITTEE
   Chairman—R. D. Steele
   Vice-Chairman—W. S. Martin
9. REPORTING COMMITTEE
   Chairman—G. W. Ford
   Vice-Chairman—A. E. M. Maloney
10. PUBLIC RELATIONS COMMITTEE
   Chairman—W. S. Martin
   Vice-Chairman—A. S. Pattillo
11. CONTINUING EDUCATION COMMITTEE
   Chairman—S. L. Robins
   Vice-Chairman—W. G. Gray
12. LEGAL AID COMMITTEE
   Chairman—Isadore Levinter
   Vice-Chairman—R. D. Steele

The Treasurer expressed to Mr. G. A. Martin, Q.C. and Mr. J. A. D. Slemin, Q.C. the appreciation of Convocation for the services they had rendered as Chairmen of the Discipline and Professional Conduct Committees respectively. He stated that although they had retired as Chairmen, they had both consented to remain as members of their Committees.

APPOINTMENT OF AUDITOR

Messrs. Clarkson Gordon & Co. were appointed Auditors of the Society for a period of one year from the 1st of July 1964.

CANADIAN BAR ASSOCIATION

Mr. J. D. Arnup, Q.C. and Mr. S. L. Robins, Q.C. were appointed the Society's representatives on the Council of the Canadian Bar Association.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

Mr. J. D. Arnup, Q.C. was appointed the Society's representative on the Executive of the Conference of the Governing Bodies of the Legal Profession in Canada.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 14th May 1964, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Gregory, Keith, Seaman, Sheard and Slemin.

OSGOODE HALL LAW SCHOOL

GIFT — BURSARIES — EDUCATIONAL PURPOSES — W. W. MCLAUGHLIN

The following bequest has been received from the Estate of the late William Webster McLaughlin:

> "To the Law Society of Upper Canada, the sum of Five Thousand Dollars ($5,000.00) in memory of my father, the late Robert James McLaughlin, a graduate of the class of 1888, the income therefrom to be used in perpetuity for bursaries for the assistance of such students as may be deemed worthy in the opinion of the Educational Committee of the said Society, or otherwise, for educational purposes in the Law School of the said Society, and as determined by the Resolution of Convocation. Should my brother, Hugh Johnston McLaughlin, make a similar provision, it is my wish that the two amounts be added together and constitute one trust fund in memory of our said father."

Your Committee recommends that the gift be accepted with thanks to Mrs. McLaughlin and used for bursaries in the Bar Admission Course or Osgoode Hall Law School.

ANNUAL MEETING, ASSOCIATION OF CANADIAN LAW TEACHERS 10TH - 12TH JUNE 1964

The Annual Meeting of the Association of Canadian Law Teachers is being held in Charlottetown, Prince Edward Island, 10th - 12th June 1964.

Your Committee recommends that the representatives this year should be Professors H. W. Arthurs. John T. Blanchard, M. L. Friedland, D. C. Hefferon, P. S. A. Lamek, Dean H. Allan Leal, and Professor D. W. Mundell.

CONFERENCE, INTERNATIONAL LAW ASSOCIATION TOKYO, JAPAN, 16TH-22ND AUGUST 1964

Professor J. G. Castel is Secretary-Rapporteur of the Committee on Enforcement of Foreign (Money) Judgments of the International Law Association. He has participated in the preparation and drafting of a Model Act respecting the Recognition of Foreign (Money) Judgments. The Model Act will be presented to the Conference in Tokyo and Dr. Castel is expected to be present to deliver a report as well as to defend, if necessary, the controversial provisions of the Model Act. He has indicated that he would also like to participate in the work of the Association in other areas of Public and Private International Law during the session.

Your Committee recommends that a grant be authorized to help defray Professor Castel's hotel and registration expenses.

CONFERENCE ON THE TEACHING OF FOREIGN AND COMPARATIVE LAW

The Parker School of Foreign and Comparative Law, Columbia University, New York City, is holding a Conference on the Teaching of Foreign and Comparative Law 14th and 15th September 1964.

Your Committee recommends that the Law School representation at this Conference be Professors Ian F. G. Baxter, J. G. Castel, Ivan R. Feltham and A. M. Linden.

FINANCIAL ASSISTANCE FOR GRADUATE STUDENTS

At its meeting on 20th September 1962, the Legal Education Committee adopted the recommendation of the Faculty and authorized the Faculty to award scholarships and bursaries to registered graduate students to a total annual amount of $5,000.00. The awards, if any, were to be granted according to the following order of priority:

(1) scholarships for full-time students;
(2) bursaries for full-time students;

(3) scholarships for part-time students;
(4) bursaries for part-time students.

This annual sum was to be administered by the Faculty with the approval of the Chairman or Vice-Chairman of the Legal Education Committee.

The Faculty is receiving an increasing number of enquiries from students interested in pursuing special projects at this Law School but not having the necessary qualifications to entitle them to pursue studies leading to an advanced degree. There is a provision at the Law School for granting diplomas for a programme of studies other than the degree courses, and the Faculty at its meeting on 8th May 1964, has recommended that, in a proper case, jurisdiction should be extended to permit allocation of part of the above $5,000.00 to deserving diploma candidates.

Approved.

ASSOCIATE PROFESSOR HARRY WILLIAM ARTHURS

The Dean recommends that Professor Arthurs be allowed to act as special counsel to the Ontario Safety Council. His duties would involve research in various statutory enactments and an examination of documents and other materials gathered by the Council, most of which work would be done in the Law School. His work would likely be completed by September 1964.

Approved.

CANADIAN INDIANS — ENCOURAGEMENT TO BECOME LAWYERS

The Society has received a letter from Miss Kahntineta Horn stating that more Indian lawyers will be needed to serve a growing Indian population. She suggests that the Society should appoint a small Committee to consider ways to encourage and assist young Indian students to become lawyers.

Your Committee recommends that the Secretary write to the Department of Indian Affairs to say the Society will co-operate in any way possible. It is also recommended that the Dean discuss the matter with Mr. H. E. Staats, an Indian in the third year of the LL.B. Course.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday the 14th May 1964 at 3:30 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Gregory and Robins.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

BAR ADMISSION COURSE

The following candidates have successfully completed the fifth Bar Admission Course, have filed the necessary documents and paid the required fee of $210.00, and now apply for call to the Bar and to be granted Certificates of Fitness:

Karl Dennis Jaffary
David James Denne Sims
Lorena Patricia Denise Staples.

Approved.

DIRECT TRANSFERS

Your Committee considered applications for transfer and made recommendations thereon.

REPORT OF THE EXAMINING BOARD

The report of the examinations held in May 1964, is before the Committee. Of the three candidates, two have passed. They are:

Irene Agnes Bonetti
Thomas Arthur Collingwood

Approved.

FULL-TIME MEMBERS OF THE FACULTY OSGOODE HALL LAW SCHOOL

CALL TO THE BAR

Associate Professor Arthur L. Foote. Members of the full-time teaching staff at Osgoode Hall Law School are normally called to the Bar and admitted as solicitors when they have completed one year of teaching and have been re-appointed for a second year. Professor Foote will have completed one year of teaching in Osgoode Hall Law School on 30th June 1964. He asks to be called to the Bar and admitted as a solicitor thereafter.

Approved.

Assistant Professor P. S. A. Lamek. Professor Lamek will have completed two years of teaching at Osgoode Hall Law

School on 30th June 1964. He asks to be called to the Bar and admitted as a solicitor.

Approved.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Karl Dennis Jaffary
David James Denne Sims
Lorena Patricia Denise Staples

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 13th May 1964, the following members being present: Messrs. Gregory, Chairman, Sheard, Vice-Chairman, Harris, Levinter, W. S. Martin, Slemin, Steele and Weir.

Financial Statement, 1st July 1963 to 30th April 1964

Approved.

Rolls and Records

The Secretary reports:

(1) *Appointments to the Bench* — That the following former members of the Law Society have been honoured in their appointment to judicial office, and their records have been transferred to the inactive list:

Wilbur R. Jackett, Montreal	Called — (Ontario) 24th September 1952; Appointed — President, Exchequer Court of Canada, 29th April 1964
Hugh F. Gibson, Q.C., Kingston	Called — 17th January 1946 Appointed — Judge, Exchequer Court of Canada, 29th April 1964

(2) *Deaths* — That the following former members of the Law Society have died and their records have been transferred to Past Records:

James W. Gilroy, Toronto	Called — 5th February 1925; Deceased — 5th November 1963.
Earl T. Bradfield, Hamilton	Called — 20th November 1930; Deceased — 27th February 1964.
C. V. O'Connor, Q.C., Fort William	Called — 17th January 1935; Deceased — 2nd April 1964.
W. H. Bouck, Q.C., Toronto	Called — 15th June 1922; Deceased — 20th April 1964.
E. C. Facer, Q.C., Sudbury	Called — 19th September 1929; Deceased — 26th April 1964;
W. C. Thomson, Q.C., Pickering	Called — 25th May 1923; Deceased — 20th April 1964.

Noted

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

At the Mid-Winter Meeting of the Executive of the Conference of Governing Bodies held at the Seigniory Club, Montebello, on the 1st March 1964, it was resolved that the Conference request for the year 1964 a contribution of $200.00 from the Law Society of Upper Canada as in previous years.

Your Committee recommends that a contribution of $200.00 be made.

CHANGE OF NAME

Your Committee considered applications for change in certain names on the rolls and records of the Society, as follows:

Emanuela Lee Sotos — to Emanuela Lee Monaco.
Terence Edward George Jabour — to Terrence Edward George Jabour
Jeremy Johnston — to Jeremy George Nairn Johnston.

Approved.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

2nd June 1964	Dinner meeting of the Guild of Our Lady of Good Counsel
1964-65	Lawyers' Club — Dinner Meetings on the following dates: 1964 — 8th September, 15th October, 19th November, 10th December 1965 — 5th January, 17th February and 18th March

Approved.

SUB-COMMITTEE ON SALARIES

The Sub-Committee on Salaries, consisting of the Treasurer, the Chairman and Vice-Chairman of the Finance Committee, and Messrs. Howland, Keith and Levinter, recommends to the Finance Committee certain increases in salary to take effect 1st July 1964.

Approved.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE—Mr. G. A. Martin

RE: JAMES DOUGALL BARCLAY, Port Arthur

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he on the 4th March A.D. 1964, at the City of Port Arthur was tried under Part XVI of the Criminal Code of Canada, before Magistrate H. T. Cunningham, upon the following charges, namely:

1. that at the City of Port Arthur in the District of Thunder Bay and Province of Ontario, during the month of November 1962, having received from Joseph Kranjc the sum of $4,500.00 in consideration of a Mortgage in the name of Peter Mihalus and Dorothy Joy Mihalus as Mortgagors, on terms requiring him to account for the same he did unlawfully and fraudulently convert the sum of approximately $1,310.24 to his own use and thereby steal the sum of approximately $1,310.24, the property of the said Peter Mihalus and Dorothy Joy Mihalus, contrary to Sections 276-1 and 280 (a) of the Criminal Code of Canada;
2. that at the City of Port Arthur in the District of Thunder Bay and Province of Ontario, having received from Nancy Lee Renaud the sum of $565.00 on the 22nd February 1962 and from F. Howard Young the sum of $3,350.00 on the 13th September 1963 on terms requiring him to pay the same to the Public Trustee of the Province of Ontario, he did unlawfully and fraudulently convert to his own use and did thereby steal a sum in excess of $3,000.00, the property of the Public Trustee of the Province of Ontario, contrary to Sections 276-1 and 280 (a) of the Criminal Code of Canada;

and was convicted of the said offences and the following punishment was imposed upon him, namely, that he be imprisoned in the penitentiary for the term of two years on the first charge and two and one-half years on the second charge, such sentences to run concurrently; and recommended that he be disbarred and struck off the rolls of the Law Society of Upper Canada.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor did not attend nor was he represented by counsel.

The motion was carried.

It was accordingly ordered:

1. THAT the Report of the Discipline Committee in the matter of JAMES DOUGALL BARCLAY, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said JAMES DOUGALL BARCLAY guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said JAMES DOUGALL BARCLAY be disbarred.
4. THAT the said JAMES DOUGALL BARCLAY is unworthy to practice as a Solicitor.

Mr. R. L. Seaman, Q.C., asked that it be recorded in the Minutes that he took no part in the discussion of this matter, and did not vote.

RE: HAROLD WELLMAN SHUTTLEWORTH, Gananoque

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he

1. has failed to account for the sum of $400.00 more or less received by him as solicitor in trust for a client on or about the 23rd October 1961;
2. did not defend a civil action brought against him by a client to recover the sum of $400.00 which it was stated in the Statement of Claim delivered 30th January 1964, he failed and refused to pay over to the plaintiff and converted the same to his own use.

and recommended that he be disbarred and struck off the Rolls of the Law Society of Upper Canada.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor did not attend nor was he represented by counsel.

The motion was carried.

It was accordingly ordered:

1. THAT the Report of the Discipline Committee in the matter of HAROLD WELLMAN SHUTTLEWORTH, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said HAROLD WELLMAN SHUTTLEWORTH guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said HAROLD WELLMAN SHUTTLEWORTH be disbarred.
4. THAT the said HAROLD WELLMAN SHUTTLEWORTH is unworthy to practice as a solicitor.

RE: ROBERT PHILIP DOYLE, Pembroke

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he

> contrary to Rule 3 of the Rules Respecting Accounts, has drawn money from his trust account other than money properly required for payment to or on behalf of clients or in respect of liabilitites of clients to him;
>
> contrary to Rule 6 of the Rules Respecting Accounts, has failed to maintain sufficient balances on deposit in his trust account to meet all obligations with respect to funds held in trust for clients as required by that Rule;
>
> contrary to Rules 7 and 8 of the Rules Respecting Accounts, has failed to maintain proper books of account as required by those Rules;

and recommended that he be disbarred and struck off the rolls of the Law Society of Upper Canada.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor attended with his counsel, Mr. J. D. Philip, who addressed Convocation.

The Report was adopted.

It was accordingly ordered:

1. THAT the Report of the Discipline Committee in the matter of ROBERT PHILIP DOYLE, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said ROBERT PHILIP DOYLE guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said ROBERT PHILIP DOYLE be disbarred.
4. THAT the said ROBERT PHILIP DOYLE is unworthy to practice as a Solicitor.

Mr. A. E. Maloney asked that it be recorded in the Minutes that he took no part in discussion of this matter and did not vote.

RE: ROY ALLEN YOUNGSON, Kitchener

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had failed to maintain proper books and accounts as required by the Rules Respecting Accounts of the Law Society of Upper Canada, and recommended that he be reprimanded in Convocation, that the fact of his reprimand be published in the Ontario Reports, and that he be required to pay $250.00 towards the cost of the Society's investigation.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien that the Report be adopted.

The solicitor attended but did not address Convocation.

The motion was carried.

The solicitor appeared before Convocation and was reprimanded by the Treasurer.

RE: A SOLICITOR

The Committee reported that after due inquiry it found the Solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he failed to maintain books, records and accounts in connection with his practice in accordance with Rules 7 and 8 of the Rules Respecting Accounts, and recommended that the Solicitor be reprimanded in Committee rather than in Convocation solely because of his health.

Moved by Mr. G. A. Martin, seconded by Mr. O'Brien, that the Report be adopted.

The solicitor attended but did not address Convocation.

The motion was carried.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 13th May 1964, the following members being present: Messrs. Steele (Chairman), Martin (Vice-Chairman), Harris, Levinter, Maloney, Slemin and Strauss.

PHILLIPS STEWART LIBRARY

Your Committee reports that further consideration of the memorandum of Mr. Lamek on Phillips Stewart Library space problems and the feasibility of setting up a large central research library in Toronto and a long-term plan for acquisitions at Osgoode Hall, which was presented and discussed at the March meeting of the Committee, was postponed to the June meeting.

LIBRARY STAFF

Your Committee recommends the retaining on the library staff of a prospective replacement for the Chief Librarian and that a Committee be appointed by the Treasurer to select and recommend a suitable person. Your Committee further recommends to the Finance Committee that the Chairman and the Chief Librarian be authorized to appoint an additional member to the library staff.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON LIBRARY STAFF

Pursuant to the recommendation of the Library Committee, the Treasurer appointed a Special Committee on Library Staff consisting of: Messrs. Steele, Keith and Strauss.

REPORTING COMMITTEE—Mr. Wright

Your Committee met on Wednesday the 13th May 1964, the following members being present: Messrs. Peter Wright (Chairman), O'Brien (Vice-Chairman), Harris, Maloney, W. S. Martin and Strauss.

REPORTING

In February 1964 the Honourable Mr. Justice Arthur Kelly drew to the attention of the Chairman two matters which are said to be of concern to some of the Judges:

1. The delay in printing judgments;
2. The lack of any published record of the disposition of appeals before the Reasons for Judgment are printed.

As to the delay in printing judgments, the Committee recommended that no action be taken, except that the Chairman see the Honourable Mr. Justice Kelly and explain that the main reason for the delay in printing is a matter of cost.

As to (2), the Committee at its March meeting recommended that where a case is reversed, judgment at the trial having been reported, a note of the reversal should appear without waiting for the reporting of the Reasons for Judgment.

The Chairman reported that the necessary arrangements have been made with the publishers.

Approved.

REASONS FOR JUDGMENT

The Carswell Company Limited reports that over the years it has purchased copies of judgments in matters of interest to the Company, but that they have now reached the stage where it would seem advisable in providing various services for the profession in Ontario to have access to all judgments from which it could extract those which had relevance to any of its publications. They ask what type of arrangements as to costs could be made with the Law Society.

At the present time solicitors are charged for judgments $1.00 per page. Canada Law Book Company receives copies of all judgments without charge, and other publishers receive them at a special discount.

Your Committee recommends that the Society make available a special rate for law book companies and publishers in Ontario for whatever copies they wish over and above the one free copy provided to the Canada Law Book Company as publishers of the Ontario Reports.

ONTARIO REPORTS — Costs

Your Committee considered correspondence from Canada Law Book Company Limited stating that the price of the Ontario Reports per page would be increased to take care of the increase of 238 members who were Called to the Bar in April 1964. The price per page will be increased from $13.27 and $17.42 to $13.63 and $17.78 respectively.

Noted and Approved.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE — Mr. Ball

Your Committee met on the 15th May 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Clement, Harris, W. S. Martin, Seaman, Slemin and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following county and district law associations, having failed to file their annual returns within three months from the 15th January 1964 have now filed their annual returns for 1963 and otherwise complied with the Rules adopted from time to time relating to county law libraries, and recommends that grants be made to them as follows:

Essex	$1,850.00
Hastings and Prince Edward	1,075.00
Lambton	1,550.00
Lincoln	1,850.00
Northumberland and Durham	966.67
Sault Ste. Marie	1,225.00

INSPECTION

The Chief Librarian reported that 26 of the county and district libraries had been inspected, leaving 21 to be inspected before the end of the year 1964.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 15th May 1964, the following members being present: Mr. R. L. Seaman (Chairman), Mr. R. D. Steele (Vice-Chairman), and Messrs. Ball, Clement, Fennell, Levinter, W. S. Martin, Seymour, Slemin and Strauss.

P. LICANDRO

Mr. E. Peter Newcombe, Q.C., an Ottawa Solicitor, wrote the Secretary, enclosing a letter from Mr. P. Licandro, in which the latter described himself as a solicitor.

An action was commenced against Mr. Licandro for violating Section 6 of The Solicitors Act.

On 30th April 1964, the Society's Counsel reported to your Committee that the trial was before Magistrate Carter, and that at the conclusion of the hearing, the Magistrate accepted the plea of guilty and sentenced Mr. P. Licandro to a fine of $50.00 and costs. The Magistrate took a serious view of the offence and in sentencing Mr. Licandro, told him that the practice of law was a highly complex undertaking and that he, Licandro, was a menace to others when he attempted to advise them on matters of which he had no knowledge. Mr. Newcombe attended the trial on behalf of the Law Society, since he was the President of the Carleton County Law Association at the time the complaint against Licandro was reported. In a report to Mr. Walker, Mr. Newcombe said: "I think all practising solicitors should be grateful to the Law Society for the interest which they show in our welfare and in acting promptly on complaints of this nature."

SOLICITOR'S TITLE SERVICE LIMITED

The Director of Companies in a letter to the Secretary, dated 9th December 1964, asked the Law Society for its comments with respect to the application for incorporation of Solicitor's Title Services Limited. The Secretary was instructed to refer this matter to Mr. C. H. Walker for his opinion.

A report from the Committee's counsel was considered by the Committee at its meeting in February. During the discussion, several matters were introduced which might raise problems if such a company was granted a Provincial Charter.

Mr. W. S. Martin was appointed a Sub-Committee, with power to add, to investigate further into those aspects which might create difficulty.

Your Committee at its March meeting, recommended to Convocation that it would oppose the application of Solicitor's Title Services Limited for incorporation.

Mr. W. S. Martin's written recommendations opposing the incorporation were reviewed by the Committee members, and the Secretary was requested to draft a letter to the Director of Companies, objecting to the incorporation of Solicitor's Title Services Limited.

On 13th May 1964 the Secretary received a letter from the Director of Companies advising that it was the decision of the Department of the Provincial Secretary that incorporation would not be granted.

UNAUTHORIZED PRACTICE — GENERAL

The Committee referred two matters to counsel for investigation and directed the Secretary to obtain further information with respect to several complaints.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on Thursday, the 14th May 1964, the following members being present: Messrs. Levinter (Chairman), Wright (Vice-Chairman), Maloney, Steele and Strauss.

NATIONAL LEGAL AID AND DEFENDER ASSOCIATION

The 42nd Legal Aid and Defender Conference will be held in Buffalo 13th - 16th October 1964. The Ontario Legal Aid Plan has been invited to —

1. Co-sponsor the Conference
2. Become a regular member of the Association (Minimum fee $50.00)
3. Appoint one member to the Programme Committee.

Your Committee recommends that the Ontario Legal Aid Plan accept the invitation to act as Co-sponsor of the Conference; that it become a regular member of the Association; and that it appoint to the Programme Committee Mr. Arthur Maloney, Q.C., and Mr. John Weisdorf, Assistant Provincial Director.

LEGAL AID — YORK COUNTY

In March 1964 Mr. Elmore Houser, Q.C., President of the County of York Law Association, informed the Chairman that he would like to discuss certain matters of legal aid in York County with the Committee. The matter was referred to Messrs. Strauss and Ford to confer with Mr. Houser and other Trustees of the Association.

On 13th April 1964 Messrs. Levinter, Ford and Strauss and the Secretary met with Mr. Houser and three other representatives of the County of York Law Association.

On the 6th May Mr. Houser wrote to the Chairman confirming the intention of the County of York Law Association to review, and where necessary revise, the operation of the legal aid system in the County of York. In order to carry out their plans, they ask that the Association be granted complete control and jurisdiction over the employees of the Law Society employed in the Legal Aid Office at the City Hall while they are working on legal aid matters for the County of York.

The Association also asks the assistance of the Committee in making representations to the Attorney-General with a view to implementing the recommendations contained in the Association's report to the Joint Committee on Legal Aid in respect of the following matters:

1. Creation of a central remand court of first instance in the County of York.
2. Distribution of notice to the public and particularly to accused persons at the time of their arrest of the availability of legal aid.
3. Notification by all Magistrates of the availability of legal aid and the right of an accused to a remand pending the securing of legal aid in his defence.

Your Committee recommends that authority be given forthwith to the County of York Law Association to direct the members of the Law Society's staff employed in the Legal Aid Office in the City Hall, when engaged in legal aid work for the County of York, subject to the performance of province-wide duties of Mr. Weisdorf as Assistant Provincial Director, and subject to the submission to your Committee by 15th June 1964 of a proposal and plan of operation of legal aid work in the County of York.

Your Committee further recommends that it assist the County of York Law Association in making representations to the Attorney-General on the three matters as set out above.

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on Thursday, the 14th May 1964, the following members being present: Messrs. W. S. Martin (Chairman), Ball, Gray, O'Brien and Wright.

Mr. James Cowan, Public Relations Consultant, was present by invitation.

PUBLIC RELATIONS PROGRAMME OF THE MINNESOTA STATE BAR ASSOCIATION

In its Report dated 9th April 1964 the Committee recommended:

1. that the Chairman of your Committee be authorized to retain Mr. James Cowan for advice, not only on a public information programme similar to that of the Minnesota State Bar Association, but for suggestions for a public relations programme for the Law Society of Upper Canada and the approximate cost thereof; and that Mr. Cowan be invited to attend the next meeting of your Committee.
2. consideration of a public relations programme similar to that of the Minnesota State Bar Association, and that the Sub-Committee be authorized to set up a test pamphlet on the subject — "Buying a Home? Why do you need a Lawyer", or a similar subject, and that Mr. W. G. C. Howland be requested to suggest a writer for the pamphlet on this subject: that the pamphlet be revised by your Committee and Mr. Cowan and presented to Convocation with an estimate of approximate costs.

Mr. A. S. Pattillo, the Chairman of the Sub-Committee in this matter, presented for the consideration of the Committee the draft of a test pamphlet to be called — "Buying a Home? Why you need a Lawyer". Your Committee, with the assistance of Mr. James Cowan, considered and edited the draft pamphlet, and for the next meeting of the Committee Mr. Cowan will have for the consideration of the Committee copies in layout form together with an estimate of cost.

MISSOURI BAR — PRENTICE HALL SURVEY:

A MOTIVATIONAL STUDY OF PUBLIC ATTITUDES AND LAW OFFICE MANAGEMENT

At its meeting on 9th April the Committee recommended that Mr. Fraser Raney, Q.C. and Mr. S. L. Robins, Q.C., Vice-Chairman of the Legal Education Committee and Chairman of the Continuing Education Committee, be requested to attend the lawyers' Practising Institute at the expense of the Continuing Education Committee. Messrs. Raney and Robins had made arrangements to attend the Institute on 5th June. In view of Mr. Raney's unfortunate accident, Mr. Brendan O'Brien will attend in his place.

Your Committee recommends that further consideration of this Survey stand for the report from Messrs. O'Brien and Robins following their attendance at the Lawyer's Practising Institute in St. Louis, Missouri.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON THE ADMINISTRATION OF THE COMPENSATION FUND AND RELATED QUESTIONS OF PROFESSIONAL CONDUCT, SOLICITORS' ACCOUNTS, AND PUBLIC RELATIONS

At the request of the Treasuer, Mr. O'Brien presented the Report of the Special Committee:

Your Committee met on Friday, the 1st May 1964, the following members being present: Messrs. Robinette (Chairman), the Treasurer, G.A. Martin, O'Brien, R. F. Wilson and Wright.

UNSCHEDULED EXAMINATIONS OF TRUST ACCOUNTS IN TORONTO, WINDSOR AND OTTAWA

Your Committee reported to Convocation when it met on 10th April 1964. As part of its report were appended statistical results of the "Blitz" examinations which took place in Toronto, Windsor and Ottawa. The figures have been revised to reflect the correct interpretation of Rule 8 (e) of the Rules Respecting Accounts. The result of this is to lower the number of instances in which faults had appeared in members' books and records; in Ottawa from 80% to 69%, in Toronto from 90% to 85% and in Windsor from 91% to

86%. This represents over the three centres a reduction from 85% to 78%. The altered figures appear in Schedules 1 and 3 which are attached hereto and form part of this report.

COMPULSORY ANNUAL AUDITOR'S CERTIFICATE

When it met on 10th April 1964, Convocation had before it a draft auditor's certificate. The matter was referred back to this Committee for further consideration and when your Committee met on 1st May 1964, changes were suggested in the certificate which the Deputy Secretary will discuss with Mr. Robert Anderson, Mr. Michael Mackenzie of Clarkson, Gordon & Co. and Mr. Merrilees of the Institute of Chartered Accountants of Ontario.

Your Special Committee further recommends that the form of Declaration to be signed by solicitors on payment of their annual fees be redrafted to give further details with reference to the completing of accounts, etc.

UNSCHEDULED EXAMINATIONS OF TRUST ACCOUNTS

Your Special Committee recommends that further unscheduled examinations be made in the near future in three representative centres to be chosen by lot.

SCHEDULE 3

Contraventions of the Society's Rules Respecting Accounts were grouped under the classifications shown on this schedule. Below are brief explanations of these categories:

(i) *No books for clients' trust monies*
Certain firms either did not maintain trust cash receipt and disbursement records, or did not maintain a clients' trust ledger. Many felt that since they handled but few trust transactions, proper records were not necessary.

(ii) *No books for solicitors' own monies*
These firms did not maintain books to record the receipt and disbursement of general office monies. Most of these firms did not maintain trust accounting records.

(iii) *Books do not separate trust and office monies*
Trust and general office transactions were not properly segregated so that not only were the members monies mixed with their clients' monies, but the monies handled for each client were not kept separate from all other clients.

(iv) *Trust books not up to date*

Arrears in recording and posting the trust books of account were the second most common deficiencies encountered in these investigations. The average lengths of time in arrears in each centre were:

Ottawa	54 days
Toronto	49 days
Windsor	29 days

It would appear that the records in these cases are being recorded at intervals, for example, on Monday for the prior week's transactions. Obviously it would not be possible for the solicitors to be provided with clients' trust balances at the time they are making disbursements on their behalf. The trust records serve only to record historical facts rather than to be of service to the solicitors.

(v) *Trust bank account records not available*

Some firms deposit their clients' trust monies into interest-bearing savings accounts on which the cashed cheques are retained by the banks. The solicitor has only his cheque stubs, at best, to support trust disbursements.

Other firms do not retain copies of deposit slips for deposits into the trust bank account.

These deficiencies make it difficult for the Benchers of the Law Society to take effective steps to examine the accounts of solicitors when necessary to ascertain compliance with the Rules.

(vi) *Trust bank account not so designated*

The bank accounts used for trust account transactions were not so designated on the records of the bankers.

(vii) *No record of fees*

The Rules provide that members must record all fees and other billings to clients. The firms in this category did not maintain such a record. Some had copies of billings in individual clients' files but nowhere was there a record compiling all such billings.

(viii) *No listing of valuable property held in trust*

These firms had such information only in their clients' files. No formal record was maintained wherein the valuables held for all clients were listed.

(ix) *Trust ledger balances not reconciled monthly with monies in the trust bank account*

Infractions of Rule 8 (e) were present in 61% of the firms examined. The profession at large does not realize what is required under this Rule: a monthly trial balance of the clients' trust ledger, the total of whose credit balances, representing liabilities to clients, should agree with the reconciled balance of cash in the trust bank account; this record must be prepared and maintained and forms as much a part of the accounting records as the ledgers.

A number of firms simply ran adding machine tapes of the trust ledger balances, and if the balance of cash in the trust bank equalled or exceeded this total, the tape was destroyed. No permanent records of such comparison were retained.

In practice, such a record is of great assistance to solicitors. Not only does it allow them to check regularly their clients' balances, but it:

(a) draws attention to amounts in trust which can properly be transferred to general;

(b) permits them to check the accuracy of the bookkeeping function.

Unless such records were available to the Chartered Accountants making these investigations, it was not possible for them, under their instructions, to discover whether there were in fact overdrawn clients' trust accounts or shortages in trust funds. Any of these firms may in fact have trust shortages.

(x) *Overdrawn clients' trust accounts*

Some firms appear to make a practice of advancing funds to or on behalf of clients in excess of the monies they hold in trust for such clients. Such contraventions of Rule 3 are serious and are to be discouraged. Unless the solicitors maintain personal monies in the trust bank account (a practice to be discouraged), the result is that one client's money is being used on another client's behalf.

(xi) *Apparent shortages in trust funds*

The majority of these shortages appeared to be the result of overdrawn clients' trust accounts.

It is possible that any of the 144 firms which did not prepare the record required under Rule 8 (e) may also have shortages in trust funds.

THE REPORT WAS ADOPTED

THE LAW SOCIETY AMENDMENT ACT, 1964

The Treasurer informed Convocation that this Act came into force on the 8th May 1964.

SPECIAL COMMITTEE ON RETIRED JUDGES RETURNING TO PRACTICE

The Treasurer reported that pursuant to the action of Convocation on the 21st February, 1964 he had appointed a Special Committee on Retired Judges Returning to Practice, consisting of Messrs. O'Brien (Chairman), R. F. Wilson, Sheard, Steele and Gray.

CORRESPONDENCE

The Treasurer referred to the following correspondence:

Letter from the Honourable Guy Favreau, P.C., Q.C., Minister of Justice, thanking the Treasurer and Benchers for their kindness on the occasion of his Call to the Bar and on becoming a Bencher ex officio of the Law Society of Upper Canada.

Letter from Mr. Guy Lord, Special Assistant to the Honourable Mr. Guy Favreau, thanking the Treasurer and Benchers for inviting him to luncheon on the occasion of the Call to the Bar of the Minister of Justice.

Letter from the John Howard Society of Ontario thanking the Treasurer and Benchers for allowing them to hold their Annual Dinner Meeting in Osgoode Hall on 29th April.

Letter from Professor Ian F. G. Baxter, on behalf of the Commercial Law Programme, thanking the Treasurer and Benchers for allowing them to hold their Conference on 1st and 2nd May at Osgoode Hall.

ORDERED that this correspondence be received and filed.

CONVOCATION THEN ROSE

J. D. Arnup,
Treasurer

MEETING OF CONVOCATION

FRIDAY, 19TH JUNE 1964
11 A.M.

PRESENT:

The Treasurer and Messrs. Ball,, Beaton, Chitty, Clement, Creighton, Fennell, Ford, Gregory, Howland, Jamieson, Jessup, Keith, Levinter, McCulloch, McLaughlin, O'Brien, Robins, Seymour, Sheard, Slemin, Steele, Strauss, Weir, P. D. Wilson, R. F. Wilson and Wright.

THE SECRETARY

The Treasurer observed that thirty years ago this month the Society had appointed Mr. W. Earl Smith as its Secretary, and he stated it was his confident assertion that no one in the entire British Commonwealth had done more for the welfare of his profession in the enusing thirty years than had the Secretary of our Society. He invited the members of Convocation to stand and pay tribute and express congratulations to their unexcelled Secretary.

The Minutes of the Meeting of Convocation of the 15th May 1964 were read and confirmed.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 18th June 1964, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, Mr. Jamieson, and Mr. S. L. Robins.

Your Committee considered applications for transfer and made recommendations thereon.

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar and the degree of Barrister-at-law was conferred upon them:

Irene Agnes Bonetti — Special — Alberta
Thomas Arthur Collingwood — Special — British Columbia
Paul Stephen Andrew Lamek — Special — Professor, Osgoode Hall Law School.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 18th June 1964 the following members being present: Mr. W. G. C. Howand, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Keith, Sheard, Slemin and Williston.

OSGOODE HALL LAW SCHOOL

EXAMINATION RESULTS — SPRING, 1964

1. *Post-graduate Studies*

The Faculty, at its meeting on Monday, 15th June 1964, considered the reports of the external examiners on the theses submitted by the candidates for the degree of Master of Laws, and the following candidates, having complied with the requirements prescribed for advanced study at the Osgoode Hall Law School, are recommended for the Master of Laws degree:

Wilbur Sylvester Stakes — "Know-how Licensing Agreements and the Antitrust Provisions of the Rome Treaty"

Warren Keith Winkler — "Labour Relations Law in the Construction Industry in Ontario".

Approved.

2. *Third Year LL.B. Course*

A record of the returns of the examiners is submitted herewith showing those who have passed with Honours, those who have passed Class I and II, those who are required to write supplemental examinations, and those who have failed.

There were 107 students who were entitled to write the Spring Term examinations. The returns are as follows:

Honours

The following students having passed all examinations and obtained at least 75% of the aggregate marks obtainable are entitled to pass with Honours:

1. P. C. Weiler
2. M. M. Dennis
3. J. D. Sharples

Medals

The following students are entitled to Medals:

Bronze Medal	— P. C. Weiler
Gold Medal	— M. M. Dennis
Silver Medal	— J. D. Sharples

Summary and Comparative Analysis

	Spring, 1963	*Spring 1964*
Honours	0	3
Pass Class I	26	19
Pass Class II	73	75
	99	97
Aegrotat	0	1
Supplementals	12	7
	111	105
Failures	0	2
	111	107

Received.

Report of the Commercial Law Programme, 1963-64

The Report of the Commercial Law Programme, 1963-64 was submitted by Professors Ian F. G. Baxter and Ivan R. Feltham to the Faculty at its meeting on 15th June, 1964, and was adopted. The authors of the Report in reality made it a report for the two year period since the establishment of the Programme in February 1962.

The proposals for the Programme for the coming year are as follows:

1. *The establishment of an advisory council*
2. *Study conferences*
    - (i) *Latin America and the Caribbean*
    - (ii) *Company organization and control*
    - (iii) *Publications*

It is planned to produce a second volume in the Commercial Law series, which second volume would be based on the work of the Catzman Committee and on the papers submitted for the conference on Personal Property Security Law held at the Law School on May 1 - 2, 1964.

Approved.

Leave of Absence — Professor David W. Mundell, Q.C.

In a letter to the Dean, dated 21st May, 1964, Professor David W. Mundell, Q.C., requested leave of absence for a period of two years from 1st July 1964, for the purpose of accepting an invitation to act as assistant to the Honourable J. C. McRuer, Royal Commissioner on the Inquiry into Civil Rights in Ontario.

Approved.

THE ONTARIO LAW REFORM COMMISSION — PROFESSOR H. ALLAN LEAL, Q.C.

At the recent session, the Ontario Legislature passed an act to constitute the Ontario Law Reform Commission. The Commission is to be composed of three or more members appointed by the Lieutenant Governor in Council, and the function of the Commission is to inquire into and consider any matter relating to

(a) reform of the law having regard to the statute law, the common law and judicial decisions;

(b) the administration of justice;

(c) judicial and quasi-judicial procedures under any Act; or

(d) any subject referred to it by the Attorney-General. It is provided that the Commission may institute and direct legal research for the purpose of carrying out its functions and the Commission is to report from time to time to the Attorney General.

The Dean has been invited by the Prime Minister of Ontario to act as one of the members of the Commission, of which the Honourable J. C. McRuer will be Chairman. The Dean would serve on a part-time basis.

The Dean asks the Committee's permission to accept the invitation to serve on the Ontario Law Reform Commission.

Approved.

LAW SCHOOL TEACHING STAFF AND ALLOCATION OF SUBJECTS

1. *Full-time Teaching Staff*

At its meeting on 16th January 1964, the Committee authorized the appointment of two additional members to the full-time teaching staff for the session 1964-65. Acceptable candidates have not been found but the Dean recommends two persons to be appointed 1st July 1965 for the session 1965-66. They are:

Paul Cronin Weiler (B.A., University of Toronto).
Derek Mendes da Costa (LL.B., London).

2. *Part-time Teaching Staff*

At its meeting on 16th January 1964, the Legal Education Committee approved the recommendation of Faculty that the size of the teaching units in the First Year should be reduced by offering three sections in the courses in Contracts, Evidence, Land Law, Personal Property and Torts. Since it has not been possible to make full-time appointments, the Faculty recommends that part-time appointments be made in order that the above plan may be implemented in the academic session 1964-65. In addition it is anticipated that Professor David W. Mundell, Q.C., will be granted leave to act as assistant to the Royal Commissioner on the Inquiry into Civil Rights in Ontario, and provision will have to be made for covering the subjects normally taught by him. Accordingly, the Faculty recommends the appointment as Special Lecturers of Ralph Edward Scane and Barry Allan Percival.

Approved.

Dean W. R. Lederman, Q.C.

In the event that the Committee confirms the decision that leave be granted to Professor David W. Mundell, Q.C., the Faculty recommends that Dean W. R. Lederman, Q.C. of the Faculty of Law, Queen's University, be invited to conduct the class in Constitutional Law with the Second Year at this Law School.

Approved.

SUB-COMMITTEE ON PROJECTED INCREASE IN THE NUMBER OF STUDENTS

The Sub-Committee has considered the probable requirements of the Bar Admission Course over the next five years. A memorandum from the Director was before the Sub-Committee showing the following increase in the number of students and the resultant need for more seminar rooms:

	No. of students in the teaching period	*No. of classrooms*	*No. of seminar rooms*
1964-65	235	1	10
1965-66	269	1	10
1966-67	323	1	13
1967-68	368	1	15
1968-69	423	1	17

The Dean also submitted a memorandum estimating the Law School requirements for the next five years. The Sub-Committee's recommendations are as follows:

The Bar Admission Course will require five additional seminar rooms during the next four years at which point it is anticipated the course will be divided into two sections.

The Osgoode Hall Law School will require during the next five year period one additional seminar room, one room for The Legal and Literary Society, one additional Faculty Office and space for three secretaries.

Mr. Heeney to be retained to estimate the cost of making certain alterations in the Law School building, and that subject to the approval of the Chairman of the Finance Committee and the Chairman of the Legal Education Committee the work be proceeded with during the summer of 1964.

Approved, subject to the approval of the Finance Committee.

ACTING DEAN

A recommendation is before the Committee that Professor Donald Spence be appointed Acting Dean to serve while the Dean is on holiday during July.

Approved.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 17th June 1964, the following members being present: Messrs. R. F. Wilson (in the Chair), Howland, Keith, Levinter and Steele.

FINANCIAL STATEMENT — 1st July 1963 to 31st May 1964.

Approved.

ROLLS AND RECORDS

The Secretary reports

(1) *Appointment to the Bench*

That the following former member of the Law Society has been honoured in his appointment to judicial office, and his record has been transferred to the inactive list:

Montague L. Tyrwhitt-Drake, Victoria, B.C.	Called — 19th October 1950 Appointed Judge, County Court of Victoria, B.C., 18th December 1962.

(2) *Deaths*

That the following former member of the Law Society has died and his records have been transferred to Past Records:

James H. McQuarrie, Durham	Called — 17th June 1926 Deceased — 9th June 1964.

(3) *Disbarments*

That the following former members of the Law Society have been disbarred and struck off the rolls and their names have been removed from the rolls and records of the Law Society:

James D. Barclay, Port Arthur	Called — 25th June 1959 Disbarred — 15th May 1964
Robert P. Doyle, Renfrew	Called — 16th February 1962 Disbarred — 15th May 1964
Harold W. Shuttleworth, Gananoque	Called — 19th June 1947 Disbarred — 15th May 1964.

Noted

The Secretary asks permission to transfer the Record Sheet of the following to Past Records:

Edwin Howell, Charleston	Called — 19th May 1921 Retired.

Approved.

CHANGE OF NAME

Terance V. McCann — is entered on the rolls and records of the Society as Ter*e*nce V. McCann. He asks that the spelling of his name be corrected.

Approved.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following function:

9th September 1964 — The Lawyers Club — dinner meeting of 8th September to be changed to 9th September — for Lord Denning.

Approved.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE

Mr. O'Brien, Chairman, presented the Report of the Discipline Committee:

RE: GEORGE AUSTIN PATERSON, of Hanover

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he failed in five different ways to keep his books and accounts in accordance with the Rules Respecting Accounts; and recommended that the solicitor be reprimanded in Convocation; that the fact of his having been reprimanded be published in the Ontario Reports; that he be required to submit audited statements of his professional affairs in June, July, August and September 1964, and thereafter quarter-yearly; and that he be required to pay the costs of the Society's investigation.

Moved by Mr. O'Brien, seconded by Mr. Howland, that the Report be adopted.

The solicitor attended and addressed Convocation briefly.

The Report was adopted.

The Solicitor appeared before Convocation and was reprimanded by the Treasurer.

ORDERS

The Secretary placed before Convocation the following Orders, which, in compliance with Rule 79, are entered on the Minutes of Convocation:

RE: JAMES DOUGALL BARCLAY

RE: ROBERT PHILIP DOYLE

RE: HAROLD WELLMAN SHUTTLEWORTH

Orders Striking off the Rolls.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 17th June 1964, the following members being present: Messrs. Steele (Chairman), Keith, Levinter, Maloney and Strauss.

PHILLIPS STEWART LIBRARY

Your Committee reports that it considered further the memorandum of the Assistant Librarian in charge of the Phillips Stewart Library on that library's problems which was presented at the March Meeting of the Committee and decided that for the near future at least, there was no prospect of the formation of a large central law library. Your Committee recommends that the Chief Librarian request the librarians of the four law libraries in downtown Toronto or others interested in them to form a committee to study the present situation and make recommendations as to the other matters referred to in the memorandum.

JUDGES' NOTE-BOOKS

Your Committee reports that at the request of Mr. Justice Gale it has agreed to have the judges' note-books, which have for many years been shelved in an attic room in the west wing of Osgoode Hall, moved and stored in a basement room of the library. This is to be done at no expense to the Society and the Society assumes no responsibility for the note books and may at any time require that they be removed.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE

Mr. Ford, Chairman, reported orally that there was a strike at the plant of General Printers Limited, Oshawa, the company which prints the Ontario Reports. Mr. W. B. Cartwright, of the Canada Law Book Company, reported that the next two issues of the Ontario Reports would probably come out on time, but that there was a possibility that one or two issues might have to be omitted after the 1st of July. If this happens the Canada Law Book Company Limited will send out an announcement to all those on the Reports list, and the material will be picked up later when publication is resumed.

THE REPORT WAS RECEIVED.

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 19th June 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Clement, Creighton, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following county and district law associations, having failed to file their annual returns within three months from the 15th January 1964, have now filed their annual returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that grants be made to them as follows:

Carleton	$1,850.00
Kenora	600.00
Lennox & Addington	600.00
Lindsay	658.34
Lanark	600.00
Norfolk	650.00
Parry Sound	600.00
Peel	1,196.00
Peterborough	975.00
Prescott & Russell	600.00
Renfrew	603.34
Thunder Bay	1,325.00
Wellington	1,250.00

COMMITTEE MEMBERSHIP

Your Committee reports that Mr. Seymour was elected a member of the Committee.

INSPECTION 1963/64

Your Committee reports that the Chief Librarian has inspected thirty-two of the forty-seven county and district libraries and that fifteen, all within easy reach of Toronto, remain to be inspected.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Jessup Vice-Chairman

Your Committee met on Friday, the 19th June 1964, the following members being present: Mr. A. R. Jessup (in the Chair), and Messrs. Ball, Clement, Creighton, Fennell, Ford, Levinter, Sheard, Slemin, Steele and Strauss.

MEXICAN SERVICE COMPANY

At its May meeting, the Committee requested the Secretary to write a letter to Mexican Service Company pursuant to a report from Mr. C. H. Walker, Q.C. The Committee had referred a letter from the Better Business Bureau of Metropolitan Toronto to counsel for an opinion. The letter informed the Law Society that Mexican Service Company had placed an advertisement in the Toronto Globe and Mail purporting to represent lawyers in obtaining Mexican divorces recognized in Ontario.

A letter was received by the Committee from the Manager of the Company, dated 2nd June 1964, undertaking to discontinue the advertisement and stating that the Company had not advised anyone that a Mexican divorce would be acceptable in Ontario.

General Lawyer's Services

Your Committee considered a letter with respect to a business designed as a service for lawyers, to be called "General Lawyer's Services".

The Secretary was instructed to write to Mr. Chapman advising him that the Committee found the company name objectionable as it might be taken to mean that a lawyer, or lawyers, were associated with the operation of the company and this was not the case. Your Committee recommends that the Society oppose any application for incorporation of such an organization.

Unauthorized Practice General

Your Committee considered correspondence in several other matters and referred one matter to counsel for investigation and requested further information with respect to another.

Moved by Mr. Jessup, seconded by Mr. Steele, that the Report be adopted.

Moved by Mr. Weir, seconded by Mr. Wright, that the Report be amended by referring one matter back to the Committee for further consideration.

The amendment was carried.

The Report as amended was adopted.

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on the 18th June 1964, the following members being present: Messrs. Levinter (Chairman), Steele (Vice-Chairman), Ford, Keith, Maloney and Strauss.

MEETING OF COUNTY AND DISTRICT DIRECTORS

It has been suggested by the Treasurer, Mr. W. B. Common, a member of this Committee and Chairman of the Joint Committee on Legal Aid, and by Mr. R. F. Reid, one of the Society's representatives on the Joint Committee, that it might be highly desirable to call a meeting in Toronto of all County and District Directors of the Ontario Legal Aid Plan.

Your Committee recommends that all County and District Directors of Legal Aid be invited to attend a meeting in Toronto, on Saturday, 26th September 1964. The meeting will be a private one between the Treasurer, the members of the Legal Aid Committee and the Directors who are personally involved with the administration of legal aid in Ontario. It is hoped that the Directors will assist the Benchers by commenting on the operation of the present plan and on any suggested plans for the future.

LEGAL AID — YORK COUNTY

At its meeting on the 14th May 1964 this Committee recommended that authority be given forthwith to the County of York Law Association to direct the members of the Law Society's staff employed in the Legal Aid Office in the City Hall, when engaged in legal aid work for the County of York; subject to the performance of province-wide duties of Mr. Weisdorf as Assistant Provincial Director; and subject to the submission to this Committee by 15th June 1964 of a proposal and plan of operation of legal aid work in the County of York. Convocation adopted the Report.

Your Committee has now considered in detail a letter of 11th June 1964 from Mr. Elmore Houser, Q.C., President, County of York Law Association, dealing with

(a) *Location of Office*
(b) *Control and Operation of Plan*
(c) *Staff*

Your Committee recommends approval of the three proposals of the Committee of the County of York Law Association, subject as to staff to the recommendation of your Committee in its Report of 13th April 1964:

> ". . . that authority be given forthwith to the County of York Law Association to direct the members of the Law Society's staff employed in the Legal Aid Office in the City Hall, when engaged in legal aid work for the

County of York; subject to the performance of province-wide duties of Mr. Weisdorf as Assistant Provincial Director."

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE—Mr. Ball

Your Committee met on Thursday, 18th June 1964, at 11:00 o'clock in the morning, the following members being present: Mr. Ball, in the Chair, and Messrs. O'Brien and Wright.

PUBLIC RELATIONS PROGRAMME—*Minnesota State Bar Association*

In the absence of Mr. W. S. Martin (Chairman), Mr. Pattillo and Mr. Cowan, your Committee directed that this matter stand.

MISSOURI BAR — PRENTICE HALL SURVEY: A Motivational Study of Public Attitudes and Law Office Management

Your Committee recommended that Mr. Brendan O'Brien and Mr. S. L. Robins attend the Lawyers' Practising Institute in St. Louis, Missouri, and that further consideration of this Survey stand for their report. Messrs. O'Brien and Robins attended in St. Louis and presented their Report. Your Committee received the report and recommended that it be circulated to all members of the Committee.

THE REPORT WAS ADOPTED.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Thursday, the 18th June 1964, at 2:30 p.m., the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien, Slemin and Strauss.

Your Committee has dealt with all letters received on professional conduct as a result of the distribution of the Professional Conduct Handbook in April 1964.

Your Committee proposes to continue to give rulings on matters submitted to it and to review the rulings in the Handbook and others matters requiring ruling. It proposes that minor and individual rulings by it which are not of general interest will continue to be made and communicated to the individuals directly concerned. "General Rulings" of the type found in the handbook will be reported to Convocation from time to time by the Committee and if approved will be set out in the published minutes of Convocation. From time to time these will be reprinted and sent out to the members of the Profession in loose leaf form for inclusion in the Handbook.

Your Committee would like to report it has:

(a) advised a solicitor that a solicitor making payments against an uncertified cheque or acting on a direction does so at his own risk.

(b) advised a solicitor that he should not be a party to exhortations by a church organization urging its members to make wills using the organization's solicitor.

(c) warned five solicitors that a professional card under the heading "Supply and Trade members" in promotional material for a home builders' festival was contrary to Ruling 18.

(d) determined to give a hearing to counsel on behalf of Canada Bonded Attorney and solicitors listed in it with regard to their position under Ruling 26.

(e) referred a puffing advertisement in a Swiss newspaper to the Discipline Committee.

(f) advised a solicitor who was broadcasting as Canadian correspondent for a periodical that he should be described as correspondent and not as a solicitor and that he was not responsible for references to him as a solicitor which he did not solicit nor knew of beforehand.

(g) advised a solicitor originally retained by one party to institute divorce proceedings that he should not act for any of the four persons concerned where he was later asked by his original client to act for one of the others at the original client's expense, it having been thus agreed among the two couples concerned.

(h) advised a county law association that it was improper to advertise for creditors before an administrator was appointed and exceptional and questionable to do it before probate was granted.

(i) advised a solicitor that photographs of the signs on his office showed them not to be in accordance with Ruling 10.

Your Committee proposes at a later meeting to determine which of the matters set out in the preceding paragraph should be the subject of a Standing Ruling for approval by Convocation and insertion in the Handbook.

In addition your Committee has under consideration matters arising under Rulings 2, 3-6, 8, 9, 11, 12, 15, 16, 17, 23, 24, 28 and 29. Members of the Society having views on these and other matters of Professional Conduct are invited to write the Secretary of the Committee.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON LIBRARY STAFF—Mr. Steele

Your Committee met on the 18th June 1964, the following members being present: Messrs. Steele (Chairman), Keith and Strauss.

Your Committee reports that it has interviewed two applicants for the position on the library staff of a prospective replacement for the Chief Librarian but it not yet prepared to report as to its choice.

Your Committee recommends, in view of the fact that there will be no regular meeting of Convocation until September, that the matter be left to your Committee and the Treasurer with power to appoint a candidate.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON REVISION OF RULES

The Treasurer reported that the Special Committee had met on the 18th June and reviewed a revision of the Rules, with the exception of a few Rules which must be redrafted in view of some changes in policy. He stated that a copy of the revised Rules would be sent to all Benchers, and that they would be considered at the meeting of Convocation in September.

THE REPORT WAS RECEIVED.

ONTARIO INTER-PROFESSIONAL LIAISON COMMITTEE

Mr. Howland reported that two meetings of this Committee had been held since the last report to Convocation. The prevailing view of the members is that the Committee should continue to function as a liaison committee, and that no separate body should be incorporated. The Committee has adopted the following as its aims and objectives:

(1) To create understanding among the professions.
(2) To determine basic requirements for the practice of a profession.
(3) To stimulate interest in the professions as a career.
(4) To interpret the professions to the public.
(5) To maintain professional freedom.
(6) To serve humanity and the professions by studying all matters in which the professions may properly interest themselves.
(7) To foster the co-ordination of the activities of the professions.

Mr. Howland stated that no commitments as to policy would be made by the Society's representatives without first consulting Convocation.

THE REPORT WAS RECEIVED.

OSGOODE HALL EXTENSIONS

The Treasurer reported that the Ontario Government's part of Osgoode Hall is overcrowded, and the Premier has approved in principle of an addition, and various suggested methods are to be considered. A Committee has been formed by Chief Justice Porter, the Law Society being represented by the Treasurer and Messrs. Carson and O'Brien. Information as to requirements is to be collected and considered in September. The Treasurer stated that at a meeting of the Committee he had raised the question of the existence of five legal libraries in Osgoode Hall and the new Court House.

Moved by Mr. O'Brien, seconded by Mr. Robins, that the question of library accommodation on a long term basis be referred to the Library Committee, with the suggestion that a report be submitted to Convocation in September.

Carried.

LORD DENNING, *Master of the Rolls*

The Treasurer announced that Lord Denning would be a guest of the Canadian Bar Association at its meeting in Montreal in September, and that he had accepted an invitation to dine with the Treasurer and Benchers at Osgoode Hall on Tuesday, 8th September 1964.

CORRESPONDENCE

The Treasurer referred to the following correspondent:

Letter from Prof. J. Ll. J. Edwards, Director, Centre of Criminology, University of Toronto, thanking the Treasurer and Benchers for the dinner given all those participating in the National Conference of Judges on Sentencing, in Convocation Hall on Thursday, 28th May.

Letter from the Honourable Judge William B. Herlands, United States District Court, Southern District of New York, thanking the Treasurer and Benchers for entertaining him at dinner for the National Conference of Judges on Sentencing, 28th May.

ORDERED that this correspondence be received and filed.

CONVOCATION THEN ROSE.

J. D. ARNUP
Treasurer

SPECIAL MEETING OF CONVOCATION

THURSDAY, 25TH JUNE 1964
12 NOON

PRESENT:

The Treasurer, and Messrs. Carson, Creighton, Ford, Gray, Harris, Howland, Jamieson, Keith, LeBel, Mackay, McCulloch, McLaughlin, O'Brien, Robinette, Robins, Sedgwick, Sheard, Strauss, R. F. Wilson and Wright.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 25th June 1964 at 11.30 a.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, the Treasurer, and Messrs. Jamieson, Sheard and R. F. Wilson.

OSGOODE HALL LAW SCHOOL

HONORARY DEGREES *The Honourable James Chalmers McRuer*

The Chairman reported that on the 10th April 1964, Convocation authorized that the degree of Doctor of Laws, Honoris Causa, be conferred upon The Honourable James Chalmers McRuer.

David Park Jamieson

The Chairman reported that on the 10th April 1964, Convocation authorized that the degree of Doctor of Laws, Honoris Causa, be conferred upon David Park Jamieson. *Noted.*

EXAMINATION RESULTS—SPRING 1964

FIRST YEAR

There were 179 students who were entitled to write the Spring Term examinations. One student, through illness, did not present himself for the Spring Term examinations. The return is as follows:

Honours — First Year

The following student having passed all examinations and obtained at least 75% of the aggregate marks obtainable is entitled to pass with Honours::

D. M. Montcalm

Scholarships

According to the return of the examiners, the following is entitled to a scholarship:

D. M. Montcalm — $200

Prizes

The following are entitled to Prizes:

The Richard Halliburton Greer Prize
(for the highest mark in Criminal Law)
J. S. Leibel — $50
The Lawyers Club War Memorial Prize
(for the highest marks in Civil Procedure)

First Prize — V. F. McAuley	$100
Second Prize — D. M. Montcalm	$ 50

The Kenneth Gibson Morden Memorial Prize
(for the highest mark in Evidence)
D. M. Montcalm — $50
The Samuel Factor Memorial Prize
(for the highest mark in Contracts)

A. F. Ashton — $50

The Prizes in Legal History

First Prize — D. M. Montcalm	$75
Second Prize — A. M. Johnson	$50

The Prize in Torts

R. G. Witterick — $35

Summary and Comparative Analysis

	Spring, 1963	*Spring, 1964*
Honours	1	1
Pass Class I	21	15
Pass Class II	80	99
	102	115
Supplementals	47	38
	149	153
Failures	20	26
	169	179

SECOND YEAR

There were 143 students who were entitled to write the Spring Term examinations. The return is as follows:

Honours

The following students having passed all examinations and obtained at least 75% of the aggregate marks obtainable are entitled to pass with Honours:

A. R. A. Scace

J. A. Walker

Scholarships

According to the return of the examiners, the following are entitled to scholarships:

1. A. R. A. Scace	—	$200
2. J. A. Walker	—	$150

Prizes

The following are entitled to prizes:

The Reading Law Club Prize

(for the highest mark in Sale of Goods)

J. A. Walker — $50

The Ivan Cleveland Rand Scholarship
(for the highest mark in Constitutional Law)
A. R. A. Scace — $100
The Prize in Company Law
M. N. Rain — $100
The William Bruce Henderson Prize
(for the highest mark in Conveyancing & Mortgages)
P. C. G. Lococo — $50
The Canada Permanent Trust Company Prize
(for the highest mark in Equity)
J. A. Walker — $200
The Prize in Family Law
A. R. A. Scace — $35

Summary and Comparative Analysis

	Spring, 1963	*Spring, 1964*
Honours	2	2
Pass Class I	20	19
Pass Class II	55	88
	77	109
Supplementals	29	29
	106	138
Failures	10	5
	116	143

REPORT OF THE CRIMINAL LAW PROGRAMME, 1963-64

The Report of the Criminal Law Programme, 1963-64 was submitted by Professor Martin L. Friedland to the Faculty at its meeting on 22nd June 1964 and adopted. A copy of the Report was submitted. The Report contains a full statement of the Third Criminal Law Conference on Canadian Criminal Statistics held at the Law School 3rd-4th April 1964.

Recommendations on projects for the ensuing year and budgetary estimates to support the recommendations will be submitted at the meeting of your Committee in September.

Your Committee recommends that the Report be RECEIVED and that a copy be sent to each member of the Committee through the mail.

THE REPORT WAS ADOPTED

CONVOCATION ADJOURNED AT 12.20 p.m.

The Treasurer and Benchers entertained at luncheon the Honourable James Chalmers McRuer, Chief Justice of the High Court, the Honourable Mr. Justice Gale, Dr. Harold G. Fox, Q.C., and H. Allan Leal, Q.C., Dean of the Osgoode Hall Law School.

CONVOCATION RESUMED at 2:30 p.m. at the O'Keefe Centre, a quorum being present.

The Treasurer and Benchers and their guests, and the Dean and the members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded in academic procession to the stage of the auditorium.

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee, read the prayer.

CONFERRING OF HONORARY DEGREES

The Chairman of the Legal Education Committee read the following citations:

> I present to you, Sir, James Chalmers McRuer, on the eve of his retirement as Chief Justice of the High Court of Justice for Ontario. His career has been in the best tradition of the legal profession as officer of the Crown, law teacher, practitioner, bencher and judge. Although exhibiting a sincere concern for a proper result in the immediate case, his judgments also reflect a consuming passion for the attainment of more substantial justice as the ultimate purpose of the law, and an equal concern for the development of a more perfect legal system. His special interest in the economically and socially underprivileged in our society is genuine and pervasive and is the natural result of a deep religious faith, made manifest in his active participation in the affairs of his church. His aptitude for the criminal law led to his appointment to no less than three royal commissions and now he is on the threshold of another career as a single Royal Commissioner on the Inquiry into Civil Rights. We salute him as a man honoured and highly respected at home and abroad, as a legal scholar, author, jurist and devout churchman and request you, Mr. Treasurer, to confer upon him our highest academic award.
>
> I present to you, Sir, David Park Jamieson, a graduate of this law school who has already given forty devoted years

to the demands of legal practice and the legal profession. He has always had an uncomplicated and steadfast belief that the organized bar is a vital force for peace, order and justice in our society and he has kept the faith by assuming the onerous duties of high office in the provincial, national and international bar associations. His contribution to legal education has special significance for this Convocation since he played a leading part in the establishment of the course at Osgoode Hall Law School leading to an academic degree. Furthermore, the concept of a Bar Admission Course, providing clinical and practical training so that new lawyers might ably serve the public, bears testimony to his imaginative and energetic approach to these matters. His lifelong interest in the cultural life of the community, and particularly his support of the performing arts, makes him a most valued member of the Canada Council. As one who always maintained his conservative inclinations within proper bounds, I present him to you, Mr. Treasurer — fittingly resplendent in these academicals — that you may confer upon him our highest academic award.

The Treasurer then conferred the degree of Doctor of Laws, honoris causa, upon James Chalmers McRuer and David Park Jamieson.

CONFERRING OF DEGREES OF MASTER OF LAWS

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidates who have complied with the requirements prescribed for graduate study at the Osgoode Hall Law School, the degree of Master of Laws:

Warren Keith Winkler
in absentia
Wilbur Sylvester Stakes, Jr.

CONFERRING OF DEGREES IN COURSE

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidates who have completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws::

WITH HONOURS

Paul Cronin Weiler

Michael Mark Dennis
James Douglas Sharples

Louis Sylvester Paul Acri
Philip Alter
Michael Harvey Appleton
Frank Edward Armstrong
Gerardas Balcuinas-Balciauskas
William Pericles Bassel
Douglas Raymond Bell
Robert Nicholas Bosada
Harry Oscar Edward Braden
Lowell Geoffrey Budd
Kenneth Louis Chasse
George Brian Thomas Clements
Francis Harry Cremer
Mary Louise Dickson
Glyn Kenneth Edwards
Sheldon Esbin
Robert Frederick Evans
Eugene Glen Ewaschuk
William Alexander Ferguson
John Jack Fireman
David Stuart Forbes
Norman Jack Freedman
Arthur James Fuller
Anthony Leandro Furgiuele
George Robert William Gale
Ian Gordon Gillanders
Louis Goodman
George Donald Gordon
Guy Yvon Joseph Goulard
Samuel John Gruvick
James Rutherford Guy
Edward Anthony Gzik
Miles Mark Halberstadt
Douglas Alan Cameron Harvey
Richard James Hobson
Robert Francis Hopkins
John Harrison Hough
Joseph Robert Jakabfy
Peter Graham Jarvis
Robert Earl Jarvis
Neville Constantine Johnston
Frederick Ross Jones
John Timothy Kennish
Eberhard Peter Heinrich von Ketelhodt
Ted Kielb
Bernard Koffman
James Michael Kopinak
John Edmund Lang
Stephen Jerome Lende
Gary Ross Logan
Glenn Russell Ludwig
Ross Barrick Lundy
Robert George Lush
Darren Lloyd Michael
Edward Benjamin Middleton
Lionel Shael Miskin
Deirdre Kathleen Mungovan
Robert Dugald McIntyre
William Wayne McKinnon
Gordon Francis McNab
Alexander Russell Nicol
Dennis Rory O'Connor
John Alexander Paterson
Isadore Daniel Prydatok
Alexander David George Purdy
William Ridley Purdy
Bill Leonard Remus
Lloyd George Rose
David Aaron Rubin
Donald Edward Seeback
Jerome Thomas Shibley
Hugh Michael Joseph Slimon
Leon Batsalal Sosna
Howard Edwin Staats
Jerome Samuel Ublansky
John Gorman Walsh
Barrie William Edward Webb
Anthony Wellenreiter
Brian Herbert Wheatley
Henry Lennox Ernest White
Orlin Currie Wood
Samuel Casey Wood
Richard Lee Woods
Joseph John Zabek
Eugene Joseph Zaraska
Waldemar Zimmerman
Stanley Rudolph Zupan

In absentia

Wayne Cruickshanks
Malcolm Bradley Fraser
Donald Joseph Osborne Gastmeier
Eibhlin Blatna Hodgson
Barry Herriot Matheson

The Treasurer presented the following scholarships and prizes won by members of the graduating class:

Gold Medal — P. C. Weiler

Silver Medal — M. M. Dennis

Bronze Medal—J. D. Sharples

The Chancellor Van Koughnet Scholarship — P. C. Weiler
The Christopher Robinson Memorial Scholarship — M. M. Dennis
The Matthew Wilson Memorial Scholarship — J. D. Sharples
The Clara Brett Martin Memorial Scholarship — P. C. Weiler
The Prize in Conflict of Laws — P. C. Weiler
The Prize in Creditors' Rights — G. K. Edwards
The Prize in Admiralty Law — W. P. Bassel
The Prize in Labour Relations Law — P. C. Weiler
The Insurance Company of North America Prize — R. F. Evans
The Prize in Income Tax — J. D. Sharples
The Northern Ontario Prize — P. C. Weiler
The Butterworth Prize — J. D. Sharples
The Prize in Public International Law — P. C. Weiler
The Reading Law Club Prize in Jurisprudence — P. C. Weiler
The Thomas Cowper Robinette Memorial Prize — D. A. Rubin

The Treasurer introduced to the new graduates and their families and friends, the Honourable J. C. McRuer, LL.D., Chief Justice of the High Court, who addressed Convocation.

CONVOCATION THEN ROSE

Following the meeting of Convocation, the Treasurer and Benchers entertained the graduates, their families and friends at a reception in the main lounge, lower floor, of the O'Keefe Centre.

J. D. ARNUP
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 18TH SEPTEMBER 1964
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Ball, Beaton, Clement, Common, Creighton, Davis, Fennell, Ford, Gray, Gregory, Harris, Howland, Jamieson, Keith, Levinter, Maloney, G. A. Martin, McLaughlin, O'Brien, Raney, Robinette, Robins, Roebuck, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, Williston, R. F. Wilson, and Wright.

The Minutes of the meetings of Convocation of the 19th June and 25th June 1964 were read and confirmed.

ELECTION OF BENCHER

Mr. George Edwin Beament, Q.C. of Ottawa was elected a Bencher to fill the vacancy caused by the appointment to the Supreme Court of Ontario of the Honourable Mr. Justice Arthur R. Jessup.

COMMITTEES

Mr. George Edwin Beament, Q.C. was appointed to the following Committees:

Discipline
County Libraries
Unauthorized Practice

ADMISSIONS COMMITTEE—Mr. Terence Sheard

Your Committee met on Thursday, 17th September 1964 at 4:00 p.m. the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman and Messrs. Gregory and R. F. Wilson.

ADMISSION OF STUDENTS-AT-LAW

BAR ADMISSION COURSE

Two hundred and sixty candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of 1st September, 1964.

Approved.

TRANSFERS

United Kingdom Solicitors
Direct Transfers
Commonwealth Transfer

Your Committee considered applicatians for transfers and made recommendations thereon.

REPORT OF THE EXAMINING BOARD

The report of the examinations held in September 1964 is before the Committee. The following candidates have passed:

Ronald Findlay Booth
John Anthony Coates
Larry Raymond Olsson
Clare Richard James Skatfeld

Approved.

ESTIMATES 1964-1965

The estimates of the expenditures for the year 1964-1965 are before the Committee for consideration.

Approved.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidate was presented to the Treasurer and Convocation, was Called to the Bar and the degree of Barrister-at-law was conferred upon him:

Arthur Lloyd Foote—Special—Nova Scotia;
Professor, Osgoode Hall Law School.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, 17th September 1964 at 4:15 p.m. in the afternoon, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Gregory, Keith, Seaman, Sheard, Slemin and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the approval of the Committee to the following appointments to the Faculty of the Bar Admission Course:

Civil Procedure I Section

Mr. R. J. Rolls, as an Instructor, in place of Mr. P. W. Benson, Q.C., resigned.

Mr. J. L. Chercover, as a stand-by Instructor, in place of Mr. R. J. Rolls, promoted to Instructor.

Civil Procedure II Section

Mr. J. C. Carson, as an Instructor, in place of Mr. B. B. Shapiro, Q.C., resigned.

Creditors' Rights and Bankruptcy Section

Mr. B. J. Kamin, as an Instructor, in place of Mr. H. E. Fulton, Q.C., resigned.

Mr. Louis Strauss, as an Instructor, in place of Mr. R. B. Eisen, resigned.

Real Estate Section

Mr. W. R. Murray, as an Instructor, in place of Mr. S. G. M. Grange, Q.C., resigned.

Mr. John A. Wright, as an Instructor, in place of Mr. J. H. Timmins, resigned.

Mr. A. H. Shaul, as a standby Instructor, in place of Mr. John A. Wright, promoted to Instructor.

Civil Procedure II Section

Mr. J. T. Glass, as stand-by Instructor in place of Mr. J. C. Carson, promoted to Instructor.

Approved.

ESTIMATES 1964-1965

The estimates of the expenditures for the year 1964-1965 are before the Committee for consideration.

Approved.

APPROVED LAW FACULTIES CURRICULUM — CIVIL PROCEDURE

On the 29th July 1964, Professor A. W. R. Carrothers, Dean of the Faculty of Law, University of Western Ontario, wrote to the Society suggesting changes contemplated in the curriculum to be offered by that Faculty. In particular he proposed to delete the Second Year Course in Civil Procedure and to offer an optional Course in Civil Procedure in the Third Year.

Also before the Committee is a copy of a letter of the 3rd April 1957, written by Dr. D. Park Jamieson, Q.C., in which Dr. Jamieson sets out the basic curriculum required of

Law Faculties seeking approval for the purpose of having their graduates enter the Bar Admission Course.

Your Committee recommends that Dean Carrothers be advised that the Committee is unwilling to approve of the proposed change from the basic required curriculum agreed upon by all approved Law Schools without first considering representations on the subject from the other approved Law Schools.

OSGOODE HALL LAW SCHOOL

SUPPLEMENTAL EXAMINATION RESULTS — AUGUST, 1964

The record of the returns of the examiners of the supplemental examinations, August 1964, for all years, is submitted herewith.

Received

PHILLIPS STEWART LIBRARY

At its meeting on 18th June 1964, this Committee considered a memorandum submitted by the Dean requesting the authorization for the employment of a cataloguer for the Phillips Stewart Library, with the condition that her salary be included in the Phillips Stewart Library appropriation in the Law School budget for 1964-65 and thereafter. In the month of August the Faculty considered an application from Mrs. Delores J. Phillips, a First Class Honours graduate in Arts with the Bachelor's degree from the University of Toronto and a further degree of Bachelor of Library Science from the University of Toronto. For the past four years she has been working for the North York Library Board and, prior to that for a short time, with the General Reference Library at the University of Toronto. The necessary approval was obtained for the appointment of Mrs. Phillips as cataloguer for the Phillips Stewart Library as of 29th September 1964.

Approved.

CRIMINAL LAW PROGRAMME — 1964-1965

The Dean submits the following proposal and budget for the programme for 1964-65:

At its meeting on 25th June 1964, your Committee considered the Report of the Criminal Law Programme, 1963-64, submitted by Professor Martin L. Friedland. It was there stated that recommendations on projects for the ensuing year and budgetary estimates to support the recommendations would be submitted at the meeting of your Committee in September 1964.

1.	Secretary's salary	$3,880.00
2.	Work on the Bail Project — Professor M. L. Friedland	2,000.00
3.	Work on Canadian Criminal Statistics	1,000.00
4.	The programme in Criminal Law at the Law School during the past few months has included a substantial research project on Legal Aid. The interim expenses of this project have been borne by the Criminal Law Programme, but the total cost is to be reimbursed to the Law Society by the Government of the Province of Ontario.	
5.	Professors J. D. Morton, Q.C., and M. J. Friedland anticipate that further research projects this year requiring research assistants will be undertaken although the topics are not yet settled.	$1,000.00
6.	As part of the programme in Criminal Law a Spring Conference on some aspects of Criminal Procedure is contemplated and it is felt that a reasonable guarantee for such a Conference would be —	1,000.00
	Total —	$8,880.00

The figure which has been taken, then, for purposes of the Law School estimates and the one recommended for the Criminal Law Programme for 1964-65 is $9,000.00.

Your Committee recommends that the programme be approved in principle.

Law School Teaching Staff

Full-time Teaching Staff

At its meeting on 18th June 1964, the Committee authorized the appointment of *Paul Cronin Weiler* as Assistant Professor, his appointment to be effective as of 1st July 1965. Mr. Weiler has now been appointed for the academic session 1965-66. During the present academic session he will study at Harvard University.

Approved.

At its meeting on 18th June 1964, the Committee authorized the appointment of *Derek Mendes da Costa* of the Faculty of Law, University of Melbourne, as a full Professor on the Faculty of the Osgoode Hall Law School, the appointment to be effective as of 1st July 1965. Professor da Costa has been appointed for the academic session 1965-66. He is presently teaching in the University of Melbourne, Australia.

Approved.

Early in July *Professor J. Desmond Morton, Q.C.* was appointed Regius Professor of Laws at Trinity College, Dublin, as of 1st January 1965, and accordingly submits his resignation from the Faculty of Osgoode Hall Law School to be effective 31st December 1964.

Your Committee recommends that Professor Morton's resignation be accepted with regret.

Professor Ivan R. Feltham submits his resignation. He intends to join the firm of Messrs. Baker, McKenzie & Hightower beginning the 1st July 1965.

A memorandum from the Dean is before the Committee recommending that Professor Feltham be considered to be on leave of absence for one year but without any obligation upon the Society to re-appoint him at the end of that time.

Your Committee recommends that Professor Feltham be granted leave of absence from 1st July 1965, the details to be worked out by the Chairman, Vice-Chairman and the Dean.

Part-time Teaching Staff

Consequent upon the approved sectioning of the number of First Year Courses and the granting to Professor Mundell of leave of absence for the forthcoming academic year, it was found that one seminar in Third Year — the Legal Regulation of Competition — could not be conveniently covered without the appointment of a Special Lecturer for this purpose.

At a meeting on 29th June 1964, it was agreed that Professor Spence should be authorized to invite *W. M. H. Grover, Esq.*, a solicitor in the firm of Messrs. Blake, Cassels & Graydon, Toronto, to conduct the seminar in the academic session 1964-65 for thirty hours.

Approved.

The Faculty, at its meeting on the 17th September 1964, recommended that *Barry B. Swadron* be appointed Associate in Criminal Law at an honorarium of $300 to be paid out of the budget for the programme in Criminal Law. Mr. Swadron's appointment is for the academic session 1964-1965 terminating the 30th June 1965.

Approved.

ESTIMATES 1964-1965

The estimates of the expenditures for the year 1964-65 are before the Committee for consideration.

Approved.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 17th September 1964, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Gray, Harris, Howland, Keith, Slemin and R. F. Wilson.

FINANCIAL STATEMENT — 1st July 1964 - 31st August 1964

Approved.

ROLLS AND RECORDS

The Secretary reports

(a) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their records have been transferred to the inactive list:

A. R. Jessup, Q.C., Windsor	Called — 21st September 1939; Appointed Judge, S.C.O., August 24th, 1964.
Harry P. Cavers, Q.C., St. Catharines	Called — 17th October 1935; Appointed Judge, Dufferin County, 24th August 1964.
Maurice-Norbert Lacourciere, Sudbury	Called — 29th June 1949; Appointed Judge, District of Nipissing, 24th August 1964.

(b) *Deaths*

That the following former members of the Law Society have died and their records have been transferred to Past Records:

Thomas A. Gibson, Q.C., Toronto (Honorary Life Member)	Called — 1891; Deceased — 22nd June 1964.
Vivian S. C. McClenaghan, Ottawa	Called — 22nd March 1923; Deceased — 16th June 1964.
Gerard Beaudoin, Q.C., Toronto	Called — 20th November 1924; Deceased — 26th June 1964.
Clifton H. Lane, Q.C.,	Called — 16th January 1930;

Toronto	Deceased — 1st July 1964.
Robert B. Williams, Q.C.,	Called — 22nd May 1914;
Kirkland Lake	Deceased — 4th July 1964.
Heath R. Fletcher,	Called — 20th September 1928;
Petrolia	Deceased — 8th July 1964.
Marjorie F. E. Henry,	Called — 15th September 1921;
Toronto	Deceased — 14th July 1964.
Raymond S. Roach,	Called — 18th September 1941;
Toronto	Deceased — 17th July 1964.
Allan J. Fraser,	Called — 23rd May 1913;
Ottawa	Deceased — 17th July 1964.
John W. Freeborn, Q.C.,	Called — 25th May 1917;
Walkerton	Deceased — 18th July 1964.
A. J. Skeans, Q.C.,	Called — 18th October 1923;
Toronto	Deceased — 21st July 1964.
Thomas N. Phelan, Q.C.,	Called — 2nd June 1905;
Toronto	Deceased — 4th August 1964.
(Honorary Life Member)	
D. J. A. Cuddy, Q.C.,	Called — 18th October 1928;
Whitby	Deceased — 17th August 1964.
Gordon McLaughlin, Q.C.,	Called — 25th May 1917;
Toronto	Deceased — 21st August 1964.
H. M. Goodman, Q.C.,	Called — 16th September 1926;
Toronto	Deceased — 27th August 1964.
Stuart H. Fleming, Q.C.,	Called — 20th September 1928;
St. Catharines	Deceased — 31st August 1964.
His Honour Judge A. B. Currey,	Called — 19th September 1913;
Gore Bay	Deceased—7th September 1964.
(Honorary Life Member)	

(c) *Removed from the rolls and records of the Law Society at his own request.*

That the following former member of the Law Society has been permitted to have his name removed from the rolls and records of the Law Society at his own request.

John R. Crerar,	Called — 29th June 1949;
Hamilton	Transferred to Past Records, 10th April 1964.

Noted.

CHANGE OF NAME

Saul Shulman — By an Order of His Honour Judge Denton dated 20th July 1964, the name of *Solem Szuldman* was changed to *Saul Shulman*. He asks that the necessary changes be made on the rolls and records of the Society.

Michael John Lewis — is entered on the rolls and records of the Society as *Michael J. Lewis.* He asks that his name be changed to *Michael John Lewis.*

Your Committee recommends that these requests be granted, and that the necessary changes be made on the rolls and records of the Society.

Your Committee recommends as a policy that where a student of the Bar Admission Course has become a member of the Law Society, and proceeds with any part of the Bar Admission Course, and later discontinues and asks for a refund, an administration fee of $25.00 be charged.

SOLICITOR'S PRACTISING CERTIFICATE

Sherburne Tupper Bigelow —

Beamer W. Hopkins —

Your Committee recommends that in these two cases Practising Certificates be issued.

BURSARIES

In its Report of the 14th May 1964 the Legal Education Committee reported a gift of $5,000.00 provided for in the Will of the late William Webster McLaughlin, the income therefrom to be used for the assistance of students in the Society's Law School. The Committee recommended that the gift be accepted and used for bursaries in the Bar Admission Course or the Osgoode Hall Law School.

The Secretary has now received a cheque for $5,000.00 and asks instructions as to investment.

Your Committee recommends that this matter be referred to the Chairman and Vice-Chairman, with power to act.

CONVOCATION HALL CLOCK

During the summer some improvements were made to the clock, and on 9th September 1964 Mr. Stanley Biggs, Q.C., on behalf of The Lawyers Club and the Reading Law Club, formally presented the clock to the Treasurer on behalf of the Law Society of Upper Canada.

Permission is now asked to put a suitable brass plaque on the south wall of Convocation Hall.

Your Committee recommends that the request be granted, subject to the approval of the Secretary.

REVISION OF RULES — Finance Committee

In its Report of 16th October 1963 your Committee recommended that all members of the Society, regardless of the type of practice in which they are engaged or whether they are in practice, be charged the same fee, presently $50.00 a year. The Report was adopted by Convocation as a matter of policy.

Pursuant to the Rules of the Society as they apply to the Finance Committee, your Committee recommends, effective 1st December 1964, that all members of the Society, regardless of the type of practice in which they are engaged or whether they are in practice, be charged the same fee.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Sept. 29th — The Thomas More Guild — Dinner meeting following the Red Mass — Convocation Hall and the Barristers Lounge.

Oct. 23rd — 1959 Graduation Class Reunion — Barristers Lounge and Convocation Hall for a dinner meeting.

Nov. 7th — 1949 Graduation Class Reunion — Barristers Lounge and Convocation Hall for a dinner meeting.

Approved.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON RETIRED JUDGES RETURNING TO PRACTICE

Moved by Mr. Fennell, seconded by Mr. Ball, that the matter of retired Magistrates returning to practice be referred to the Special Committee on Retired Judges Returning to Practice.

Carried.

DISCIPLINE COMMITTEE—Mr. O'Brien

RE: COMPENSATION FUND

Mr. O'Brien, Chairman, presented a Report covering the administration of the Compensation Fund from 31st December 1963 to the 30th June 1964:

COMPENSATION FUND

FINANCIAL SUMMARY

From 31st December 1963 to 30th June 1964

Balance in Fund, 31st December 1963		$319,153.87
Receipts		
Fees	$21,845.00	
Investment Income	2,045.03	
Insurance	24,998.98	
Bank Interest	2,003.52	
Recoveries	6,106.03	56,998.56
		$376,152.43
Disbursements		
Applications	$83,757.65	
Refunds	135.00	
Reduction in value of securities	1,730.00	85,622.65
BALANCE IN FUND, 30TH JUNE 1964		$290,529.78

DETAILS

During the period 1st January 1964 to 30th June 1964 your Discipline Committee considered applications for grants from the Compensation Fund in respect of the defalcations of F. C. Brown, L. A. Cavasin, Mervin Cohen, Norman Miller Dunn, H. B. Galloway, M. R. J. Heffer, A. D. Hall, G. J. Majic, R. F. X. Marentette, R N. Meakes, B. L. Ogryzek, D. L. Shanoff, H. W. Shuttleworth, E. H. Slater, John Velanoff, R. Dean Wills. In each case where a grant was made your Committee was satisfied that a solicitor and client relationship existed and that the loss resulted from misappropriation by the solicitor. The applications were disposed of as follows:

APPLICATIONS PAID — *1st January to 30th June 1964*

Re: *F. C. Brown* — 6 claims (disbarred 17th May, 1963)	$12,617.80
Re: *L. A. Cavasin* — 5 claims (disbarred 27th June 1963)	20,013.20
Re: *Mervin Cohen* — 1 claim (disbarred 17th June 1960)	2,819.34
Re: *Norman Miller Dunn* — 1 claim	1,500.00
Re: *H. B. Galloway* — 1 claim (disbarred 16th November 1962)	1,901.58

Re: *M. R. J. Heffer* — 7 claims (disbarred 20th September 1963)	5,647.71
Re: *A. D. Hall* — 2 claims (died 1st May 1962)	653.00
Re: *G. J. Majic* — 1 claim (disbarred 14th December 1962)	3,000.00
Re: *R. F. X. Marentette* — 1 claim (disbarred 28th June 1962)	1,484.00
Re: *R. N. Meakes* — 3 claims (died 24th March 1961)	6,735.95
Re: *B. L. Ogryzek* — 2 claims (disbarred 4th April 1963)	1,598.48
Re: *D. L. Shanoff* — 1 claim (disbarred 21st October 1960)	5,000.00
Re: *H. W. Shuttleworth* — 1 claim (disbarred 15th May 1964)	400.00
Re: *E. H. Slater* — 1 claim (disbarred 1st November 1963)	19,667.76
Re: *John Velanoff* — 1 claim (disbarred 17th November 1961)	398.83
Re: *R. Dean Wills* — 2 claims (disbarred 18th January 1963)	320.00
Total grants paid during the period 1st January to 30th June 1964	$83,757.65

APPLICATIONS REFUSED AND WITHDRAWN
1st January 1964 to 30th June 1964 — 13

RECOVERIES FOR THE COMPENSATION FUND

1st January 1964 to 30th June 1964:

Re: *Victor Alksnis* (disbarred 15th September 1961)	$2,250.00
Re: *B. L. Ogryzek* (disbarred 19th April 1963)	439.74
Re: *E. H. Slater* (disbarred 1st November 1963)	392.04
Re: *K. S. Murton* (disbarred 12th July 1960)	1,137.03
Re: *K. E. Cunningham* (disbarred 17th April 1959)	325.00
Re: *F. D. White* (Removed — 17th June 1960)	275.00
Re: *R. N. Meakes* (Deceased, 24th March 1961)	1,287.22
	$6,106.03

OUTSTANDING APPLICATIONS TO 30TH JUNE 1964

Applications for payment out of the Compensation Fund totalling $1,717,696.19 have been submitted to 30th June 1964, but have not yet been disposed of.

It is likely that a proportion of these applications will fail to comply with the requirements of The Law Society Act, but it is impossible to tell what proportion will not result in grants from the Fund.

Mr. O'Brien also presented a summary of the work of the Discipline Committee on Compensation Fund applications during July, August and the first half of September 1964.

COMPENSATION FUND

At 1st July 1964 applications totalling $1,717,696.19 were outstanding.

Sixty-four applications were considered by the Committee during July, August and the first half of September, totalling $331,242.83. Payments have been approved totalling $139,464.41. Except in cases of extreme hardship no payments have been made. On 7th October 1964, the Committee will finish its scheduled summer work. The total payments approved by then will be considered and the questions of the levy for the ensuing year and the payments which can be made forthwith from the Fund will be studied. The Fund now contains $285,377.25.

THE REPORT AND THE SUMMARY WERE RECEIVED.

On behalf of Convocation the Treasurer thanked the members of the Discipline Committee for their devotion to duty, particularly during the past summer.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 16th September 1964, the following members being present: Messrs. Steele (Chairman), Common, Harris, Keith, Maloney and Slemin.

Presentation

Your Committee reports that R. H. Sankey, Q.C. has presented two books to the library, "Echoes from Horace in English Verse" and "Proceedings of the Toronto Tandem Club. 1839, 40 & 41". The Chief Librarian has been instructed to express the appreciation of the Society for this gift.

Indian Law Reports

In 1955 an exchange was approved of the Ontario Reports for the Indian Law Reports (Punjab) series. The High Court of Judicature Madras, having requested a similar exchange, your Committee recommends that the Ontario Reports be exchanged for the Indian Law Reports (Madras) series.

Estimates

Your Committee's estimate of expenditure for the year 1964/65 was approved at $66,000. for submission to the Finance Committee.

Future Space Requirements

As plans are being made for the provision of additional space for offices in Osgoode Hall your Committee reports that the Chief Librarian has prepared a report on probable space needs for the library. In this he estimates that in the next twenty years 11,000 square feet of additional space will be required to accommodate books and provide offices, reading rooms and consulting rooms; office space and consulting rooms are needed now.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON LIBRARY STAFF—Mr. Steele

Your Committee met on the 18th June and the 15th July 1964, the following members being present: Messrs. Steele (Chairman), Keith and Strauss.

Your Committee reports that it has appointed Miss A. R. McCormick, the Assistant Librarian to succeed the Chief Librarian when he retires.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 18th September 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Clement, Harris, Raney, Seaman, Seymour, Slemin, Steele and Strauss.

Annual Grants

Your Committee reports specially that the following county and district law associations, having failed to file their annual returns within three months from the 15th January 1964, have now filed their returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that grants be made to them as follows:

Halton	$ 862.77
Huron	647.64
Simcoe	1,434.67

Inspection

Your Committee reports that 31 of the 47 county and district libraries have been inspected and that copies of the report as to these libraries is being sent to the secretaries of the associations.

Annual schedule

Your Committee reports that the annual schedule of county and district association information has been completed and is being sent to the secretaries of the associations.

Estimates

Your Committee's estimate of expenditures for the year 1964/65 was approved at $53,000. for submission to the Finance Committee.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 18th September 1964, the following members being present: Mr. R. L. Seaman (Chairman), and Messrs. Ball, Clement, Creighton, Fennell, Ford, Levinter, Raney, Seymour, Slemin, Steele and Strauss.

ELECTION OF VICE-CHAIRMAN

Your Committee elected Mr. S. E. Weir, Q.C., as Vice-Chairman, to fill the vacancy created by the appointment of Arthur R. Jessup to the High Court of Justice.

EDWARD MURPHY

The Secretary received correspondence from Mr. W. T. Green, Secretary of the Carleton County Law Association, with respect to Edward Murphy, a Reporter for Radio Station CFRA. Mr. Murphy represented himself to be a solicitor to gain access for an interview with an inmate of the Carleton County Jail.

The Secretary had referred the correspondence to Mr. C. H. Walker, Q.C., for an opinion. Mr. Walker recommended that a charge be laid against Mr. Murphy for holding himself out and representing himself to be a solicitor.

Your Committee has now instructed counsel to proceed with the charge.

UNAUTHORIZED PRACTICE GENERAL

The Committee referred two matters to Counsel for investigation and requested further information on two other matters.

The Committee held one matter over until the next meeting.

ESTIMATES 1964-65

The estimates of expenditures for the year 1964-65 were approved by the Committee.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on Thursday, the 17th September 1964, the following members being present: Messrs. Levinter (Chairman), Steele (Vice-Chairman), Common, Maloney and Strauss.

Mr. John Weisdorf, Assistant Provincial Director, was present by invitation.

ESTIMATES — 1964-65

Your Committee approved of estimates for the year 1964-65 for submission to the Finance Committee.

NATIONAL LEGAL AID AND DEFENDER ASSOCIATION

The 42nd National Legal Aid and Defender Association Conference will be held in Buffalo 13th - 16th October 1964. The Ontario Legal Aid Plan was invited to co-sponsor the Conference; become a regular member of the Association; and appoint one member to the Programme Committee. In its Report of the 16th May 1964 the Committee recommended that the Ontario Legal Aid Plan accept the invitation to act as co-sponsor of the Conference; that it become a regular member of the Association.

Plans for the Conference are well under way, and it is expected that several Benchers and other members of the Law Society of Upper Canada will attend. Mr. R. F. Reid, Q.C., a member of the Joint Committee on Legal Aid, has accepted an invitation to address the Conference on Wednesday, 14th October.

Your Committee approves of the action taken to date, and recommends that Mr. R. F. Reid, Q.C. and Mr. Andrew M. Lawson, Deputy Secretary of the Society, and Secretary of the Joint Committee on Legal Aid, attend the Conference as representatives of the Law Society of Upper Canada.

LEGAL AID — *York County*

In its Report of 18th June 1964 your Committee approved of certain proposals by the County of York Law Association as to —

(1) New location of the Legal Aid Office;
(2) Control and operation;
(3) Staff.

the latter "subject to the performance of province-wide duties of Mr. Weisdorf as Assistant Provincial Director".

On account of long vacation some delay has occurred with reference to the setting up of the new office, but it is expected that all plans will be implemented in the near future.

LONG TRIALS — CIVIL AND CRIMINAL

Two County Directors have recently reported on the difficulty — or impossibility — of obtaining counsel to undertake cases where several weeks are involved. In some criminal cases counsel for co-accused have been retained and paid substantial fees but legal aid has been asked for one accused.

Your Committee recommends that this matter be referred to Mr. John Weisdorf to get the fullest information possible from the Local Directors for further consideration by your Committee.

DOMESTIC RELATIONS CASES

One Director reports difficulty in obtaining counsel for domestic relations cases where again a considerable amount of time is involved. In some counties the problem has been partly solved by City Solicitors agreeing to act where the applicants are receiving welfare benefits, but this load is sometimes heavy. It is suggested that consideration might be given to establishing some form of permanent legal assistance in cases involving applicants on welfare and in domestic relations matters generally.

As these matters have already been raised before the Joint Committee on Legal Aid, the Secretary was asked to suggest to the Director that his local Law Association prepare and present a brief to the Joint Committee.

THE REPORT WAS ADOPTED

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Monday, the 13th July 1964, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, O'Brien and Strauss.

Your Committee also met on Thursday, the 17th September 1964, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien, Slemin and Strauss.

This report is designed to cover the matters dealt with at both meetings.

Your Committee has continued to deal with all letters received on Professional Conduct and with the various issues which have been raised. It wishes to report the following specific matters.

(a) *Ruling 6 — Real Estate Practice*

The Secretary wrote to Mr. W. N. Jaffray, Director of Registration and Examination of Real Estate Brokers, pointing out to him that the Society intends to deal with lawyers in their relations with Real Estate Brokers which might involve touting, soliciting, steering and conflict of interest. Mr. Jaffray replied on 21st August 1964, in the following terms:

> "I refer to your 19th August letter concerning arrangements between lawyers and real estate brokers involving fee splitting and the steering of clients to particular lawyers' offices.
>
> In the past we have had the odd complaint from County Law Associations on this topic. We do not condone real estate brokers or salesmen being parties to such arrangements and are prepared to investigate immediately any such complaint lodged against either real estate brokers or salesmen.
>
> Whenever such a question is raised with us, we take it up with the local Real Estate Board immediately concerned, as these Boards have assured us that they also are opposed to this practice.
>
> We shall be happy to co-operate in investigating such complaints even to the extent of arranging to conduct our investigation of any named broker or salesman jointly, or at least simultaneously, with any investigation being made by others of any named member of the legal profession."

The Committee is pursuing the matter.

(b) *Ruling 15 — Mortgage Brokers*

A solicitor asked the Committee's opinion as to whether he can properly engage in mortgage broking and real estate broking through a limited company or partnership in which he would be a minority shareholder or "silent partner". The Committee considered the proposed practice undesirable.

(c) *Ruling 18 — Advertising*

A firm of solicitors asked whether they could advertise in the Ontario Reports that they were available "for agency work of all types". The Committee directed that the solicitors be informed that the Committee did not approve the suggested advertisement.

(d) *Ruling 18 — Advertising*

The question has been raised with regard to the practice of publishing the picture of a recent graduate together with a statement that he has joined or is about to join a certain firm. The Committee has directed the Secretary to write in the following terms:

> "The Committee's view is that if the press as a matter of public interest wish to publish the picture of a recent graduate stating, for example, that he has graduated as a gold medallist, that is, no doubt, quite proper, but such information coupled with the statement that the graduate has joined or is about to join a certain firm, seems to infringe the rule against self-advertising if it is published by arrangement although not paid for."

(e) *Ruling 21 — Trust Accounts*

The Committee considered a Judgment of the House of Lords, Brown vs. Inland Revenue Commissioners 1964, 3 W.L.R. 511, in relation to this Ruling and requested that the profession be notified by the publication of this report in the Minutes of Convocation that the Committee was reconsidering Ruling 21 in the light of that report and would appreciate comments from members of the profession concerned. The Committee is also seeking the comments of the Secretary of The Law Society in England.

(f) *Ruling 26 — Collection Agencies — Canada Bonded Attorney*

The Committee heard submissions by Mr. W. E. Estey, Q.C., on behalf of Canada Bonded Attorney and Legal Directory Limited and adjourned the hearing until the next meeting of the Committee. These submissions involved a reconsideration of Ruling 26 and Ruling 19.

(g) *Ruling 9 — Disbarred Persons*

The Committee considered the question of the employment in solicitors' offices of disbarred persons and requested that the profession be notified by the publication of this report in the Minutes of Convocation that the Committee on Professional Conduct is considering the propriety of permitting members to employ disbarred lawyers in any capacity in solicitors' offices, and would appreciate comments from members of the profession concerned.

The Committee considered estimates for its expenditures for the year 1964-65, and after discussion set the figure at $5,000.00 to include any further publication of the Committee's Rulings.

There are a number of other matters pending before the Committee to be considered at its next meeting.

THE REPORT WAS ADOPTED

During consideration of the Report of the Professional Conduct Committee the following principle was suggested for consideration:

> "A solicitor may arrange for the publication of his picture on commencing practice, indicating where or with whom he intends to practise, providing that no payment is made therefor."

Moved by Mr. Maloney, seconded by Mr. Creighton, that the proposed principle and matters raised by it, be referred to the Professional Conduct Committee for consideration and report; and that the Committee be asked to consider, if required, a draft ruling setting out the principle.

Carried.

CONVOCATION ADJOURNED AT 1 P.M.

CONVOCATION RESUMED AT 2:15 P.M., a quorum being present.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

The Treasurer reported orally on the 35th Annual Meeting of the Conference of the Governing Bodies held at the Queen Elizabeth Hotel, Montreal, on Tuesday, 8th September 1964, which was well attended and considered many matters of importance and interest to the provincial Societies. He reported that there was great interest among the representatives of the other Societies on the "blitz audits" undertaken by this

Society. He further reported that he had mentioned the position of this Society on "Interest on Trust Accounts" in the light of a recent judgment of the House of Lords. (*see above*).

THE REPORT WAS RECEIVED.

PRESENTATIONS

The Rt. Honourable Lord Denning, Master of the Rolls, has presented to The Law Society of Upper Canada an autographed copy of "Lord Denning's Report".

Stanley C. Biggs, Q.C., immediate Past President of The Lawyers Club, has presented to The Law Society of Upper Canada a copy of the Speech of Presentation of the Convocation Hall Clock on 9th September, 1964.

ORDERED that these presentations be received with appreciation and referred to the Committee on Muniments and Memorabilia.

CORRESPONDENCE

Letters from the College of Physicians and Surgeons of Ontario and the Ontario Medical Association requesting the views of the Law Society on the Coroners Act and related subjects.

Moved by Mr. Seymour, seconded by Mr. O'Brien, that this matter be referred to a Special Committee to be appointed by the Treasurer.

Carried.

The Treasurer appointed a Special Committee on The Coroners Act, composed of Messrs. Williston (Chairman), Fennell, Gray, Keith and O'Brien.

Letter from the Treasurer with reference to a question raised by the Income Tax Department involving the matter of advance payments on account of fees, and the Society's Rules Respecting Accounts.

Moved by Mr. Ball, seconded by Mr. Steele that the matter be referred to a Special Committee to be appointed by the Treasurer.

Carried.

The Treasurer appointed a Special Committee on The Income Tax Act and the Society's Rules Respecting Accounts, consisting of Messrs. Pattillo (Chairman), Creighton and Howland.

REVISION OF RULES

At the meeting of Convocation on the 19th June 1964, the Treasurer reported that the Special Committee on Revision of Rules had met on the 18th June and reviewed a revision of the Rules with the exception of a few rules which must be redrafted in view of some changes in policy. A copy of the revised Rules was sent to all Benchers with a notice that they would be considered at the meeting of Convocation in September.

Convocation then proceeded to consider draft Rules 1-116, and the Regulations passed thereunder.

ORDERED that these draft Rules, with the exception of Rules 12(3), 37 and 66, which are referred for revision, be approved. The Treasurer proposed that all of the Rules and Regulations be enacted at the next meeting of Convocation.

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer

SPECIAL MEETING OF CONVOCATION

THURSDAY, 24TH SEPTEMBER, 1964
10 a.m.

PRESENT:

The Treasurer and Messrs. Beaton, Common, Davis, Ford, Gray, Howland, Keith, Levinter, McLaughlin, O'Brien, Robins, Strauss and Wright.

DISCIPLINE COMMITTEE—Mr. O'Brien

RE: ROBERT CASTOR

The Committee reported that after due inquiry the Solicitor was found guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he received a sum of money in trust from a client and misappropriated it; and recommended that the Solicitor be disbarred and his name struck off the rolls of the Law Society of Upper Canada.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

The Solicitor attended and admitted having received a copy of the Report and confirmed that he had signed waivers of notice as required by The Law Society Act.

The motion was carried.

It was accordingly ordered—

1. THAT the Report of the Discipline Committee in the matter of ROBERT CASTOR, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said ROBERT CASTOR guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said ROBERT CASTOR be disbarred.
4. THAT the said ROBERT CASTOR is unworthy to practise as a Solicitor.

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer

MEETING OF CONVOCATION

FRIDAY, 16TH OCTOBER 1964
10:30 a.m.

PRESENT

The Treasurer and Messrs. Ball, Beament, Beaton, Creighton, Fennell, Ford, Gregory, Harris, Howland, Jamieson, Levinter, Maloney, McCulloch, O'Brien, Pattillo, Raney, Robins, Seaman, Sedgwick, Seymour, Sheard, Slemin, Steele, Strauss, Williston, R. F. Wilson, Wright.

The Minutes of the meetings of Convocation of the 18th September and 24th September 1964 were read and confirmed.

BENCHERS

The Treasurer welcomed to Convocation Mr. George Edwin Beament, Q.C. who was elected a Bencher on the 18th September 1964.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 15th October 1964, at 4:00 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Gregory, Pattillo, Robins and R. F. Wilson.

CALL TO THE BAR AND CERTIFICATES OF FITNESS

Three candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, were approved for call to the Bar and to be granted Certificates of Fitness.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were called to the Bar and the degree of Barrister-at-law was conferred upon them:

Ronald Findlay Booth	— Special —	Manitoba
John Anthony Coates	— Special —	British Columbia
Larry Raymond Olsson	— Special —	British Columbia

UNFINISHED BUSINESS

DISCIPLINE COMMITTEE

Re: *E. F. S. Sanders, Q.C.*

Messrs. O'Brien and Ball stated that for professional reasons they had taken no part in this matter and would not vote on it.

Mr. R. F. Wilson presented the Report of the Discipline Committee.

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he procured a sum of money for himself or his firm by misrepresentation made to the solicitor for the purchaser in a real estate transaction; and recommended that the solicitor be reprimanded in Convocation, and that the fact of his having been reprimanded be published in the Ontario Reports.

Moved by Mr. R. F. Wilson, seconded by Mr. Ford, that the Report be adopted.

The solicitor was in attendance outside Convocation Room and was represented by Mr. A. A. Macdonald, Q.C. who addressed Convocation.

Mr. Macdonald presented a letter of 15th October 1964 from Mr. Sanders tendering his resignation as a Bencher of the Law Society of Upper Canada.

The motion was carried.

The solicitor attended before Convocation and was reprimanded by the Treasurer.

REVISION OF RULES

At the meeting of Convocation on the 18th September 1964 Convocation considered draft Rules 1 -116 and the Regulations passed thereunder. It was ordered that these Rules, with the exception of Rules 12(3), 37 and 66, which were referred for revision, be approved. The Treasurer proposed that all the Rules and Regulations be enacted at the next meeting of Convocation.

The Treasurer reported that the three Rules, 12(3), 37 and 66, were unnecessary and had been deleted.

Moved by Mr. Jamieson, seconded by Mr. Levinter,

(1) That the Rules of the Society and Regulations thereunder as revised and consolidated, and now presented to Convocation, be and the same are hereby enacted.

(2) That the said Rules and Regulations thereunder shall come into force forthwith.

(3) That the former Rules of the Society and Regulations thereunder, except the Rules Respecting accounts, are hereby repealed.

Carried.

LEGAL EDUCATION COMMITTEE—Mr. Howland

"SALARY SUB-COMMITTEE

The question of the appointment of a Sub-Committee to make recommendations on salaries in the Law School and the Bar Admission Course is before the Committee.

Your Committee recommends that the Chairman appoint a Sub-Committee to make recommendations on salaries in the Law School and the Bar Admission Course."

Moved by Mr. Howland, seconded by Mr. Sheard that this part of the Report be adopted, and that the rest of the Report stand for consideration to the next meeting of Convocation. *Carried.*

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 14th October 1964, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Howland, Levinter, Slemin, Steele and R. F. Wilson.

FINANCIAL STATEMENT, 1st July to 30th September 1964. *Approved.*

ANNUAL FINANCIAL STATEMENT

The Annual Statement for the year ending 30th June 1964, as certified by the auditors, Messrs. Clarkson, Gordon & Company, was considered.

Your Committee recommends that the statement as submitted be approved for presentation to Convocation and for publication pursuant to the Rules.

ESTIMATES, 1964-65

An estimate of the probable receipts and disbursements for the year 1964-65 is submitted herewith and recommended for approval.

Your Committee recommends that the annual fee payable by its members to the Law Society be increased from $50.00 to $70.00, and that the Compensation Fund levy be increased, both effective 1st December 1964; so that pursuant to the recommendation of your Committee in its Report of 16th September 1964 under which all members of the Society are charged the same fee, members will pay for the year beginning 1st December 1964 $70.00 fee plus Compensation Fund levy.

- - - - -

Your Committee recommends that a Special Committee be appointed by the Treasurer to consider and report on the present contracts with the Ontario Government with reference to the Osgoode Hall buildings and grounds; and the allocation of space and costs, with particular reference to the cost of maintenance of the gardens and grounds which at the present time is paid by the Law Society.

ROLLS AND RECORDS

The Secretary reports —

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their records have been transferred to the inactive list:

W. E. C. Colter, Q.C. Welland	Called — 20th June 1940; Appointed County Court Judge, Middlesex — September, 1964.
Robert S. Hetherington, Q.C., Wingham	Called — 15th October 1931; Appointed County Court Judge, Huron — 1st October 1964.

(2) *Deaths*

That the following former members of the Law Society have died and their records have been transferred to Past Records:

John W. Forde, Q.C., Smiths Falls	Called — 17th September 1925; Deceased — 30th August 1964
D. E. W. Tisdale, Q.C., Simcoe	Called — 19th September 1932; Deceased — 14th September 1964.
F. W. Bartrem, Q.C., Toronto	Called — 17th June 1926; Deceased — 18th September 1964.
Donald F. Downey, Q.C., Newmarket	Called — 20th January 1927; Deceased — 21st September 1964.

(3) *Disbarment*

That the following former member of the Law Society has been disbarred and struck off the rolls and his name has been removed from the rolls and records of the Law Society.

Robert Caster, Toronto	Called — 26th June 1958; Disbarred — 24th September 1964.

Noted

The Secretary asks permission to transfer the Record Sheets of the following to Past Records:

W. O. Davis, Q.C., Ottawa	Called — 22nd November 1923; Member of Tax Appeal Board.

Approved

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

September 30th	Osgoode Hall Legal and Literary Society — Reception for First Year Students.
October 14th	International Law Association, Toronto Branch — Reception and dinner meeting in lounge and Convocation Hall 6 p.m.
October 21st	Medico-Legal Society of Toronto — Dinner meeting — lounge and Convocation Hall — 5:30 p.m.
November 6th	Legal and Literary Society — Fall Ball — Convocation Hall.
November 20th	Conference on Doing Business with Latin America—Full day session with dinner in Convocation Hall at night.
December 3rd	Canadian Society for the Abolition of the Death Penalty, Ontario Section — Dinner meeting — Convocation Hall.

The Ontario Taxation Section, C.B.A. have requested the following dates: 14th October, 11th November, 9th December, 1964; 13th January, 10th February, 10th March and 14th April, 1965 — and these dates have been reserved.

Approved

THE REPORT WAS ADOPTED

CONVOCATION ADJOURNED AT 1:10 P.M.

The Treasurer and Benchers entertained at luncheon Dr. R. E. Megarry, Q.C., visiting Professor at the Osgoode Hall Law School, and Dean H. Allan Leal, Q.C.

A special Meeting of Convocation was held at 2:30 p.m., a quorum being present.

The Treasurer, Benchers, their guests and members of the Faculty of the Osgoode Hall Law School in academic robes or hoods, then proceeded to Convocation Hall and took their places on the dais.

The body of the Hall was occupied by the graduating students, the scholarship and prize winners of the first and second years, and families and friends.

CONFERRING OF DEGREES IN COURSE

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee, requested the Treasurer to confer upon the following candidates who have completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws. The Dean presented the candidates and the Treasurer conferred the degrees:

David Samuel Crane
George Bailey Dunn
Fred Levitt
David Ord McCray
Paul Bernard Honore Rondeau
Robert Cecil Rowe
William Alexander Salem
Simon Bernard Scott

In Absentia

Thomas Hugh Buchanan

The Treasurer then presented scholarships and prizes won by students of the First and Second year classes in the session 1963-64 as follows:

First Year

The Law Society Scholarship for attaining First Place with Honours	—D. M. Montcalm
The Lawyers' Club War Memorial Second Prize	—D. M. Montcalm
The Kenneth Gibson Morden Memorial Prize	—D. M. Montcalm
The First Prize in Legal History	—D. M. Montcalm
The Richard Halliburton Greer Memorial Prize	—J. S. Leibel
The Lawyers' Club War Memorial First Prize	—V. F. S. McAuley
The Samuel Factor Memorial Prize	— A. F. Ashton
The Prize in Torts	—R. G. Witterick

SECOND YEAR

The Law Society Scholarship for attaining	
First place with Honours	— A. R. A. Scace
Second place with Honours	— J. A. Walker
The Ivan Cleveland Rand Scholarship	— A. R. A. Scace
The Prize in Family Law	— A. R. A. Scace
The Reading Law Club Prize	— J. A. Walker
The Canada Permanent Trust Company Prize	— J. A. Walker
The Prize in Company Law	— M. N. Rain
The William Bruce Henderson Prize	— P. C. G. Lococo

The Treasurer congratulated the new graduates, and the scholarship and prize winners, and introduced Dr. R. E. Megarry, Q.C., a Bencher of Lincoln's Inn, who addressed Convocation.

CONVOCATION THEN ROSE

At the conclusion of the ceremonies the Treasurer and Benchers entertained the graduates and scholarship and prize winners, their families and friends at a reception in the Law School Cafeteria.

CONVOCATION resumed at 3:20 p.m., twenty-four members being present.

DISCIPLINE COMMITTEE — COMPENSATION FUND

Re: *Murray Gruson,* a disbarred lawyer.

At the request of the Chairman, Mr. Peter Wright presented the Report.

The report may be summarised as follows:

The Discipline Committee begs leave to report on its investigation of the claims against the Compensation Fund in respect of Murray Gruson, a disbarred lawyer.

1. Gruson was called to the Bar on the 29th June 1950. He practised in partnership and alone in the City of Toronto. On 18th September 1962, while attempting to leave that city by air he was arrested. He was disbarred on the 16th November 1962. He was convicted of criminal offences in connection with his practice and was sentenced to nine years imprisonment

after an appeal by the Crown to the Court of Appeal for Ontario.

2. Claims in respect of his dishonesty and broken trust were filed against the Compensation Fund amounting in total to $472,627.53. These claims were investigated by your Committee in the summer and early autumn of 1964. This report summarizes the conclusions of your Committee after 20 sittings each covering a whole or half day, at which oral testimony was presented in support of each claim.

3. It was apparent in the consideration of these claims that Gruson was not a solicitor, who had by dishonesty or breach of trust taken clients' funds. His work was a frightening parody of lawyers' work. He induced clients and others to loan large sums of money on short term at high rates of interest. He converted that money to his own use but sent reporting letters, forged deeds and certificates and paid principal and interest sedulously to create the impression that real and profitable transactions had been entered into. With very few exceptions his dastardly work succeeded and he stole in one way or another over half a million dollars. His clients and customers admired and trusted him.

4. What he offered to his clients and customers were rewards and returns from mortgage transactions far above the normal rates of secured return. With bonuses and interest the great bulk of the transactions he contrived were to produce 12% to 24% per annum. It is our considered opinion that the Compensation Fund does not exist to insure, persons who seek such returns, against loss nor does it exist to stand behind persons whose profession is that of a criminal and who use the trappings and reputation of the legal profession the better to impose on their clients.

5. We have therefore followed in our consideration of the amounts to be recommended for payment out of the Cmpensation Fund a number of guiding *ad hoc* rules which we have applied to this case in view of its extreme character but which may well be considered properly applicable by this Committee or Convocation in similar cases if any should hereafter arise. These guiding rules are:

(a) No claimant is to be entitled to more than $25,000 from the Compensation Fund.

(b) Clients or customers who expect an annual return of 12% to 24% must know that this reflects a risk which the Law Society of Upper Canada cannot be expected to insure.

We have therefore generally reduced the claims in respect of monies advanced for such returns severely and proportionately.

(c) In this case we do not think that the legal profession as a group should be called on to pay more than $130,000 in total. The shortages and practices of Gruson could have been disclosed by some of the members of his family and of his clientele and would have been apparent to anyone making enquiry in the public registers. In our view, the Compensation Fund does not exist to cast its protection over the criminals who are lawyers for the benefit of all who choose to deal with them for high returns but to those who use lawyers for normal purposes and returns and who, suffering damage through their dishonesty, have no redress.

(d) In some cases there was not a true or normal solicitor and client relationship. Gruson was regarded and used by some, not as a lawyer but as a mortgage broker or investment finder.

(e) In all stolen money cases we have regarded every repayment no matter how denominated as a repayment of principal.

(f) Where there were several claims by different people in respect of moneys coming in one form or another from the same source, we have tended to treat these as one claim despite their form.

(g) When, as here, we have had to consider priorities, we have considered that the claims of the needy should be given more generous treatment than the claims of well-to-do investors seeking a higher return than generally is offered them.

Applying these rules, we recommend payment of the claims in respect of Gruson in the total amounts set forth in Schedule "A".

6. We wish to express our deep appreciation of the help given us throughout by the Committee's counsel in this matter. Mr. Alastair Paterson, and to a number of counsel representing claimants, who made our task much easier by their fairness, frankness and devotion to truth and detail.

October 15th 1964.

SCHEDULE "A"

Claimants are indentified by number only

	Claimed	*Transactions*	*Allowed*
1.	75.00	1	0
2.	64.27	1	0
3.	5,498.97	2	1,500.00
4.	2,866.80	1	500.00
5.	21,586.67	4	10,000.00
6.	1,160.00	1	250.00
7.	2,427.30	1	750.00
8.	1,444.32	1	1,400.00
9.	36,173.06	9	17,500.00
10.	3,488.00	2	1,000.00
11.	2,662.50	1	750.00
12.	4,000.00		1,200.00
13.	4,000.00	1	1,200.00
14.	4,860.00	2	0
15.	33,825.00	4	7,500.00
16.	8,940.00	1	2,500.00
17.	15,495.00	4	4,500.00
18.	5,700.00	1	2,000.00
19.	42,675.87	11	10,000.00
20.	7,400.00	1	2,500.00
21.	1,500.00		900.00
22.	600.00		400.00
23.	600.00		400.00
24.	2,875.00	1	800.00
25.	3,140.31	1	800.00
26.	16,502.48	1	5,000.00
27.	54,400.00	7	10,000.00
28.	11,400.00	1	6,000.00)
29.	14,100.00	1	)
30.	7,538.00	2	5,000.00
31.	7,156.48	3	3,000.00)
32.	3,000.00		)
33.	25,902.75	3	7,500.00
34.	55,369.75	3	7,500.00)
35.	54,300.00	3	7,500.00)
36.	9,900.00	1	8,000.00
	$472,627.53	76	$127,850.00

36 Claimants in respect of 76 transactions

Convocation adopted the report after certain amendments and approved payment of the claims according to the policy and in the amount set out in the report.

Mr. O'Brien referred to the Report of the Finance Committee in which it is recommended that the Compensation Fund levy for the coming year be increased; and to a Report of the Discipline Committee on Policy dated the 16th October 1964 but not presented to this meeting, in which it is recommended that payment for the coming year be increased to $100.00.

Moved by Mr. O'Brien, seconded by Mr. Ford that the Compensation Fund levy be fixed at $100.00 for the year beginning 1st December 1964.

Moved in amendment by Mr. Levinter, seconded by Mr. Gregory, that the Compensation Fund levy be fixed at $50.00 for the year beginning 1st December 1964. The amendment was lost.

Moved in amendment by Mr. Pattillo, seconded by Mr. Maloney, that the Compensation Fund levy be fixed at $125.00 for the year beginning 1st December 1964. The amendment was lost.

Moved in amendment by Mr. Gregory, seconded by Mr. Ball, that the Compensation Fund levy be fixed at $80.00 for the year beginning 1st December 1964. The amendment was lost.

The original motion by Mr. O'Brien, seconded by Mr. Ford, was carried.

Report on Policy

Ordered that consideration of this Report stand to the next meeting of Convocation, and that a copy be sent to each Bencher.

ORDER

The Secretary placed before Convocation the following Order which, in compliance with Rule 79, is entered on the Minutes of Convocation:

RE: ROBERT CASTOR

Order striking off the Rolls

OSGOODE HALL EXTENSIONS

The Treasurer referred to a recommendation in the Finance Committee Report dated 14th October 1964 and adopted by Convocation this date, that a special committee be appointed by the Treasurer to consider and report on the present contracts with the Ontario Government with reference to the Osgoode Hall buildings and grounds; and the allocation of space and costs, with particular reference to the cost of maintenance of the gardens and grounds which at the present time is paid by the Law Society.

The Treasurer reported that the matter is urgent, and that several questions of policy required decision. He stated that space was needed for the Secretary's Office, the Discipline Committee, the Libraries, the Bar Admission Course and the Law School.

The Treasurer appointed a Special Committee on Osgoode Hall Buildings and Grounds, composed of Messrs. R. F. Wilson (Chairman), Gregory, Harris, Howland and Keith.

REPORTING COMMITTEE—Mr. Ford

Your Committee met on Wednesday, the 14th October 1964 the following members being present: Messrs. Ford (Chairman), Levinter, O'Brien, Strauss and Wright.

ESTIMATES, 1964-65

Your Committee approved estimates for the year 1964-65 for submission to the Finance Committee.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 16th October 1964 the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Harris, Raney, Seaman, Seymour, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following county and district associations, having failed to file their annual returns within three months from the 15th January 1964, have now filed their annual returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that grants be made to them as follows:

Nipissing	$616.67	
Less penalty for delay	61.66	
		$555.01
Stormont, Dundas and Glengarry		$791.67

TIMMINS LIBRARY

In view of the setting up of a second library in the District of Cochrane at the town of Timmins your Committee recommends that the Ontario Reports be supplied to this library and that the Registrar of the Supreme Court of Canada be requested to include it in the list of county law libraries entitled to receive the Canada Law Reports.

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE—Mr. Pattillo

Your Committee met on Thursday, the 15th October 1964, the following members being present: Messrs. Pattillo (Vice-Chairman in the Chair), Gray and Raney.

Mr. Devon Smith, representing Mr. James Cowan, Public Relations Consultant, was present by invitation.

ESTIMATES, 1964-65

Your Committee approved estimates for the year 1964-65 for submission to the Finance Committee.

PUBLIC RELATIONS PROGRAMME of the MINNESOTA STATE BAR ASSOCIATION

For some time your Committee has been considering a number of pamphlets on various services of a solicitor which are printed and distributed by the Minnesota State Bar. The matter was referred to a sub-committee consisting of Messrs. Pattillo, Ball and Gray to consider and report back on all phases of this public relations programme, including cost, method of distribution, etc., and the Chairman was authorized to consult a Public Relations Consultant of his choice with no financial obligation to the Law Society.

At a meeting on the 9th April 1964 Mr. Pattillo reported on correspondence with the Minnesota State Bar Association, and on his consultations with Mr. James Cowan, a Public Relations Consultant.

Your Committee recommended —

(1) That the Chairman be authorized to retain Mr. James Cowan for advice, not only on a public relations pro-

gramme similar to that of the Minnesota State Bar Association, but for suggestions for a public relations programme for the Law Society of Upper Canada, and the approximate cost thereof.

(2) Consideration of implementing a public relations programme similar to that under review, and that the subcommittee be authorized to set up a test pamphlet on the subject, "Buying a Home? Why You Need a Lawyer".

At a meeting on the 15th May 1964, Mr. Pattillo presented for the consideration of the Committee the draft of a test pamphlet, "Buying a Home? Why You Need a Lawyer". Your Committee, with the assistance of Mr. James Cowan, considered and edited the draft pamphlet, and for the next meeting Mr. Cowan agreed to have for consideration copies in layout form, together with an estimate of cost.

At its meeting on this date Mr. Devon Smith for Mr. James Cowan, presented the following recommendations for consideration:

1. Layout of the proposed pamphlet, copy of which is attached hereto.

2. *Proposed distribution*:

   Distribution would be made in three or four cities in widely scattered parts of the Province for a trial release of the pamphlet, "Buying a Home? Why You Need a Lawyer", and a news release on it. Local radio stations and newspapers would be used, and they would be asked to invite inquiries for copies of the pamphlet on the basis that a test of media impact with regard to institutional publicity is being made. On the basis of test results further copies of the pamphlet would be distributed in what then appeared to be the most effective fashion.

3. *Cost*

   The first 10,000 copies of the pamphlet would cost $598.00 plus Federal and Provincial taxes. Further amounts would be at reduced cost, and the printer will keep the plates ready and be able to print quickly.

It was further suggested that additional programmes be undertaken in connection with the distribution of the pamphlet. One suggestion is for a speaker service to be made available to churches, service club groups, etc., with a two or three member panel in each community ready to accept assignments in turn. The subjects would be suggested by the

Society's Public Relations Committee, and the Committee would offer the speaking members an outline address purely as an aid and not as a direction. The programme could include offers to Boards of Education for secondary school and adult training courses, and to Y.M.C.A. groups aimed at covering the fundamental need of an understanding of the legal profession in society. Each such public relations activity would be launched in a pilot form so that the Society might be satisfied that the effects desired actually were being obtained and that the cost in members funds and energies are reasonable in relation to the return expected.

Your Committee recommends that Mr. James A. Cowan be authorized to have the first 10,000 copies of "Buying a Home? Why You Need a Lawyer" printed, and to proceed with his suggested test plan project in the following cities: London, Ottawa and Sudbury.

Your Committee further recommends that a speaker programme along the lines suggested be prepared in case the test project is successful.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON INCOME TAX ACT (1964)

Mr. Pattillo, Chairman, presented the Report of the Special Committee on Income Tax Act (1964):

At the meeting of Convocation on the 18th September the Treasurer referred to a letter written with reference to a question raised by the Income Tax Department involving a matter of advance payments on account of fees and the Society's Rules Respecting Accounts. It was moved, seconded and carried that the matter be referred to a Special Committee to be appointed by the Treasurer, and he has now appointed a Special Committee on the Income Tax Act and the Society's Rules Respecting Accounts, consisting of Messrs. Pattillo (Chairman), Creighton and Howland.

Your Committee met on the 13th October 1964, all members being present.

Your Committee considered the correspondence, and recommends that it be authorized to retain counsel, Mr. Stuart D. Thom, Q.C., to consider the problem, including consultation with the Department of National Revenue, and to give his opinion as to the rules that should be adopted to meet the requirements of the Department.

THE REPORT WAS ADOPTED

REMEMBRANCE DAY SERVICE, 1964

Ordered that the service be held this year on Friday the 6th November 1964, and that the matter of arrangements be referred to Messrs. Wright and Ford.

CONVOCATION THEN ROSE

J. D. Arnup,
Treasurer

[1965] 1 O.R.

MEETING OF CONVOCATION

FRIDAY, 20TH NOVEMBER 1964

10:30 a.m.

PRESENT:

The Treasurer and Messrs. Beament, Beaton, Chitty, Creighton, Davis, Fennell, Ford, Gray, Gregory, Harris, Howland, Jamieson, Levinter, Maloney, G. A. Martin, McCulloch, O'Brien, Robins, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, Weir, Williston, P. D. Wilson, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 16th October 1964 were read and confirmed.

ADMISSIONS COMMITTEE—Mr. Terence Sheard

Your Committee met on Thursday, the 19th November 1964, at 3:45 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, (in the Chair) and Messrs. Jamieson, Robins and R. F. Wilson.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

Transfer from Another Province

The following candidate, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now applied for call to the Bar and to be granted a Certificate of Fitness:

Clare Richard James Skatfield — British Columbia.

Approved.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidate was presented to the Treasurer and Convocation, was Called to the Bar and the degree of

Barrister-at-law was conferred upon him by the Treasurer:
Clare Richard James Skatfield—Special—British Columbia.

UNFINISHED BUSINESS (from meeting of 16th October 1964)

DISCIPLINE COMMITTEE—Mr. O'Brien

Report on Policy

Your Committee met on the 8th October and again on the 13th October at 2:00 o'clock in the afternoon to consider various matters of general interest.

DIVISIONS:

A revised arrangement of those primarily responsible for meetings of the Committee was arranged.

COMPENSATION FUND:

1. The list of Compensation Fund applications which had been considered over the summer months was received and payments were authorized with the exception of applications relating to Samuel Resnick. It was decided that no payments should be made in the Resnick applications until all have been considered.

PAYMENTS INTO THE COMPENSATION FUND:

2. Your Committee recommends that payment for the coming year be increased to $100.
3. The Committee recommended that the Chairman appoint a sub-committee to consider recent problems which had arisen in connection with the administration of the Fund and also to consider the feasibility of designating a person to hear evidence and make recommendations to the Committee with respect to applications for payment out of the Fund.

SIGNS ON LAW OFFICES:

Rule No. 10 requires signs on law offices to be of modest dimensions and in good taste but many examples exist which appear to be in breach of the Rule. Your Committee recommends that members whose signs appear to infringe the Rule should first be written to and, if no satisfactory results are obtained, the member should then be invited to attend to discuss the matter with the Committee before resort to more drastic action.

RULES RESPECTING ACCOUNTS:

Questions have arisen respecting the meaning of certain words in Rules 2(d), 7(e), 8(f) and 10 of the Rules Respecting Accounts, and the question of whether a member should be allowed to maintain a "cushion" in his trust account was raised. These matters were referred to the sub-committee to be appointed by the Chairman.

TRUSTEE OF PROFESSIONAL AFFAIRS OF FORMER MEMBER

The Committee considered legislation passed in Saskatchewan enabling the appointment of a trustee of the professional affairs of members of the profession who are disbarred, suspended from practice, mentally incapacitated or otherwise unable to practise and referred the question to the sub-committee whether such legislation should be sought in Ontario.

THE REPORT WAS RECEIVED

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 14th October 1964, the following members being present: Messrs. Steele (Chairman), Levinter, Slemin and Strauss.

PHILLIPS STEWART LIBRARY

Your Committee recommended at the June 1964 meeting of Convocation that the Chief Librarian should request the librarians of the downtown Toronto law libraries to form a committee to study the Phillips Stewart Library problems referred to in Mr. Lamek's memorandum presented at the March meeting of the Committee. The Chief Librarian has now presented his report of the librarians' discussions.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on the 23rd September 1964, the following members being present: Messrs. Levinter (Chairman), Ford, Maloney, and Strauss.

Mr. A. M. Lawson, Deputy Secretary and Secretary of the Joint Committee on Legal Aid, and Mr. John Weisdorf, Assistant Provincial Director, were present by request.

Your Committee met again on the 15th October 1964, the following members being present: Messrs. Levinter (Chairman), Ford and Strauss.

APPEALS IN CRIMINAL CASES

Your Committee considered applications with reference to appeals in three rather exceptional cases, and made recommendations thereon.

MEETING OF COUNTY AND DISTRICT DIRECTORS OF LEGAL AID

Pursuant to a recommendation of the Legal Aid Committee, approved by Convocation, a meeting of County and District Directors of the Ontario Legal Aid Plan was held at Osgoode Hall on the 26th September. At its meeting on the 23rd September your Committee recommended that the costs of this meeting be paid out of the Legal Aid funds.

At the meeting on the 26th September, at which the Treasurer presided, there were present seven members of the Law Society's Legal Aid Committee; all seven members of the Joint Committee on Legal Aid, and its Secretary, Mr. Andrew M. Lawson, a Deputy Secretary of the Society; thirty-three County and District Directors, the Provincial Director and the Assistant Provincial Director.

There was a general discussion on subjects previously suggested — eligibility; exclusions, such as repeaters, from the Legal Aid Plan; long trials, both civil and criminal; domestic relations cases; and proposed changes in legal aid in Ontario.

All persons who attended the meeting were convinced that it was worthwhile. Several Directors have written to the Secretary expressing their appreciation for the holding of this meeting for all Directors, and commenting on its value. Some of the Directors have stated that they are reporting to their County or District Associations and some have asked for a copy of any report that might be made.

Approved.

THE REPORT WAS ADOPTED

ONTARIO INTER-PROFESSIONAL LIAISON COMMITTEE

Mr. Howland reported that a further meeting of the Inter-Professional Liaison Committee was held on 13th October 1964 at the Inn on the Park with the Veterinarians acting as hosts. The Chartered Accountants were represented for the first time as observers.

A sub-committee has been appointed to consider the representation of other professional groups on the Committee.

It was decided to invite key Provincial officials in the guidance field to the next meeting to discuss the role of the professions in helping students to select their future careers and whether it was being most effectively performed. The Engineering profession had taken a booth at the C.N.E. this year and had found it filled a need but that it had to answer questions concerning other professions. It suggested the possibility of other professions joining in this venture.

On the question of the population explosion the Medical profession has used the services of an economist but has not yet been able to reach a conclusion as to what the ratio of doctors to population should be.

OSGOODE HALL EXTENSIONS

The Treasurer reported that the Committee of the Chief Justice of Ontario is active and had held a meeting on the 16th November. It appears probable that there will be an extension constructed on the west side of Osgoode Hall in conformity with the present building.

The Special Committee on Osgoode Hall Buildings and Grounds appointed by the Treasurer on the 16th October 1964, met on the 18th November and had useful discussions, and has arranged for further information and hopes to report further in January 1965.

LEGAL EDUCATION COMMITTEE—Mr. Howland

(*October Report*)

Your Committee met on Thursday, the 15th October 1964, at 4:15 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. Sydney L. Robins, Vice-Chairman, and Messrs. Ball, Gregory, Pattillo, Seaman, Sheard, Slemin and R. F. Wilson.

BAR ADMISSION COURSE

DIRECTOR'S ANNUAL REPORT

The Director's Annual Report is summarized as follows:

"I wish to report on the state of the Bar Admission Course at this date.

Numbers

In the teaching period which began on 14th September 1964, there are 234 students of whom five are repeating the course having failed it last year.

Under articles, there are 260 students who came from the following institutions and jurisdictions:

Northern Irish Solicitor	1
Scottish Solicitors	2
Commonwealth Transfers	3
Dalhousie	5
Manitoba	1
New Brunswick	2
Osgoode Hall	103
Ottawa	19
Queen's	31
Toronto	59
Western	34

The five Ontario law schools awarded LL.Bs in 1964 to 260 people. It will, therefore, be seen that all but six entered the Bar Admission Course this year. Last year, of 236 LL.Bs, 217 entered.

Curriculum

This year two major changes have been made in the curriculum of the Course.

1. The one week section on Law Office Management has been discontinued. The three lectures given by the Taxing Master, Mr. Sankey, have been moved ahead to the Civil Procedure I section of the Course. I am working out an arrangement with Mr. Soward, the former head of the section, by which all the written material in his course will be given to the students and they will be told that they are responsible to cover it. Then Mr. Soward will appear before them for an hour or two during the last week of the Course during the section on Professional Conduct, to answer questions or otherwise assist the students in the area of law office management.

One question will, I hope, be able to be devised, to be written at the same time as the examination on professional conduct.

2. The Domestic Relations section, formerly two weeks, has been shortened to one.

Faculty

The Faculty has shrunk by perhaps 20 because of the changes in the curriculum. The new rates at which honoraria are established having, for the most part, been accepted without comment, the number of resignations from persons who participate in the Course seems not to be affected. It is becoming easier all the time, I think, to get help from members of the profession almost all of whom, when approached to accept posts as replacements, seem glad to serve. I am continuing, where possible, to appoint graduates of the Course itself because I think they have a much better idea of what makes a good instructor than those who have not taken the course.

Students' Handbook

The Ontario Law Students Association made a survey of our graduates and found that they appreciated the teaching period but that they had some criticism of the year spent under articles. There was no significant consensus among them that articles should be dispensed with but they thought that steps should be taken to make them more useful. The Association suggested that a handbook be prepared by which students could keep track of the things they should be given to do by their offices so that they could see whether the training they were getting in the first office they went to was adequate, within reason, or whether they should change offices. I asked the Heads of Sections in the teaching period to give me a list of matters in each of their fields, which I have now received. I must now edit them and see the book through printing and into the hands of the students and their principals.

Interest of Other Jurisdictions

In December I attended a Conference on Continuing Education at Arden House in New York State and there explained the Ontario system to delegates from all over the United States. There was considerable interest and the Arden House consensus, as the conclusions of the Conference are called, includes a recommendation that where possible "bridge-the-gap" courses should be given as requirements for call to the Bar.

On Friday, 25th September, I addressed the Allegheny County Bar Association in Pittsburgh, Pennsylvania, to explain to its members the workings of the Course. Pennsylvania has a six months clerkship requirement which is not working out very well and thought is being given to changes. Again, there was great interest and a wish that something along the lines of our system could be implemented, in spite of the fact that there is no State-wide governing body, but only voluntary County and State Bar Associations representing the bar, and the further fact that the Court and not the profession itself prescribes the requirements for admission to practice.

There is some talk of my going to the University of Missouri at Kansas City in the spring because that law school is considering turning its third year into a "bridge-the-gap" course. So far no final arrangements have been made."

Received.

DATE FOR CALL TO THE BAR

Your Committee recommends that the graduates of the Bar Admission Course be called on the 26th March 1965, and that Convocation consider holding the regular March Convocation on that day.

MISS A. ANNE MASSEY

The Society has had correspondence with Miss Massey who is practising in New Zealand. She wishes to come here to attend the teaching portion of the Bar Admission Course upon the understanding she would not be called to the Bar nor admitted as a solicitor at the end, but simply receive a certificate. Her purpose is to study the Course with a view to having a similar programme begun in New Zealand.

Your Committee recommends that she be allowed to attend the teaching portion of the Bar Admission Course upon the undersanding stated.

OSGOODE HALL LAW SCHOOOL

LAW SCHOOL ADMISSIONS

The Report of the Law School Admissions Committee for the Annual Session 1964-65 as adopted by the Faculty at its meeting on Thursday, 8th October 1964, is before the Committee. A summary and comparative analysis of the disposition of applications for admission to the First Year is as follows:

	Academic Session 1964-65	*Academic Session* 1963-64
Applications received	402	281
Applications refused	67	15
Applications approved	335	266
Withdrawals before and after registration (to date)	141	78
Net	194	188
Plus repeaters, etc.	6	9
First Year Enrolment	200	197

The Report for the Annual Session 1964-65 indicates an increase in the number of applications of 121, or 43.1% over 1963-64. There was an increase in the applications refused from 5.7% in 1963-64 to 16.6% in 1964-65. This reflects the screening necessary to limit First Year enrolment to 200.

Received.

BURSARIES - REPORT OF COMMITTEE

The Bursaries Committee, consisting of the Dean, Professor I. F. C. Baxter and Professor Dennis C. Hefferon, recommends the award of 45 bursaries as set out in its report which is before the Committee.

Approved.

ADMISSION TO THE FIRST YEAR OF THE LL.B. COURSE

At a meeting on Thursday, 8th October 1964, the Dean and the Faculty considered applications for the approval of courses leading to foreign degrees as follows:

Bachelor of Arts, Finch College, New York, New York, U.S.A., an institution accredited by the Middle States Association of Colleges and Secondary Schools;

Bachelor of Arts, Western Michigan University, Kalamazoo, Michigan, U.S.A., an institution accredited by the North Central Association of Colleges and Secondary Schools;

Bachelor of Business Administration, Niagara University, Niagara Falls, U.S.A., an institution accredited by the Middle States Association of Colleges and Secondary Schools;

Bachelor of Science in Agriculture, National Taiwan University, Taipei, China;

and recommend that they be approved for the purpose of admission to the First year of the LL.B. Course under Regulation (4)(c).

Approved.

OSGOODE HALL LAW SCHOOL - GIFT - BURSARIES - EDUCATION PURPOSES - W. W. MCLAUGHLIN

At is meeting on the 14th May 1964, the Committee recommended that the gift received from the Estate of the late W. W. McLaughlin be used for bursaries in the Bar Admission Course or Osgoode Hall Law School.

The bursaries to be provided by the income from this bequest are to be known as the Robert James McLaughlin Memorial Bursaries in memory of the father of the testator.

Approved.

BURSARIES

The Secretary has received a cheque from John G. Parkinson, Esq., Treasurer of The Lawyers Club, in the amount of $800.00 for bursaries to be awarded to students at Osgoode Hall Law School. The gift was accepted with appreciation.

Mr. W. I. Linton, Administrator of Estate Tax, Department of National Revenue, Ottawa, a lecturer in the 1964 series of Special Lectures given by the Law Society has returned his honorarium of $100.00 which amount is now available for a bursary. Accepted with appreciation.

ADMISSION TO LAW SCHOOLS - EXPANSION OF FACILITIES

From correspondence between the Chairman of the Legal Education Committee and the Deans of the five Law Schools it would appear that no sizeable number of students having the minimum admission requirements have been unable to gain admission to any law school. Several of the law schools accepted only students with an average of 60% or higher. The University of Ottawa was prepared to take a few more students with minimum requirements up to the commencement of classes. Queen's University is considering an expansion to accommodate 250-275 students and 20 professors. Its present building was only designed for 150-175 students and 12 professors. It has been advised that the Law Society will support such a move in principle, as the expansion of the existing law schools at leading universities would seem to be the best way to fill the initial need. The University of Ottawa plans to have a new building ready by the Fall of 1967 which will accommodate a total in all three years of 350 as opposed to its present registration of 117.

Your Committee recommends that approval in principle be given to the proposed expansion of Queen's University.

MEETING OF DEANS OF ONTARIO LAW SCHOOLS

Dean Leal with the approval of the Treasurer and the Chairman of the Legal Education Committee is inviting the Deans of the other Ontario Law Schools to attend a meeting in November to discuss the regulations respecting admission to the Law Schools and other matters of mutual interest. It is proposed that the Law Society will only participate in respect of matters concerning the Bar Admission Course and the expansion of facilities to meet the anticipated increase in the number of those seeking a legal education.

Noted.

COMMERCIAL LAW PROGRAMME 1963-1964

The Dean submits a financial statement covering the receipts and expenditures of the programme; showing a deficit of $4,022.77, which is within the allocated budget.

Received.

CRIMINAL LAW PROGRAMME 1963-1964

For the academic session 1963-64 the Committee recommended an allocation of $8,500.00. The Dean submits a financial statement covering the receipts and expenditures of the programme in the amount of $6,604.32.

Received.

THE REPORT WAS ADOPTED

LEGAL EDUCATION COMMITTEE — Mr. Howland

November Report

Your Committee met on Thursday, the 19th November 1964, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Gregory, Jamieson, Seaman, Sheard, Slemin and R. F. Wilson.

BAR ADMISSION COURSE

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Messrs. R. W. Chisholm, E. E. Coutts, M. A. Goldberg, J. S. Grafstein, E. E. R. Iglar, Ross Kennedy, Melville O'Donohue, R. L. Sachter, V. M. Seabrook, L. H. Schipper and R. L. Shiriff.

Your Committee received with appreciation a cheque for $1,400.00 from The Lawyers Club to be used for bursaries.

OSGOODE HALL LAW SCHOOL

Your Commitee noted that the Executive Committee of the National Conference of Canadian Universities and Colleges met on the 13th October 1964, and unanimously accepted the recommendation of its Visiting Committee that Osgoode Hall Law School be admitted to membership. The matter was placed before the Conference of the N.C.C.U.C. at its annual meeting on the 27th October 1964, and was duly approved.

The recommendation of the Dean that Robert James Wright be appointed to teach a section of the First Year class on the subject of Evidence comprising 54 hours at the usual rate was approved. Mr. Wright would take the section Professor Morton would have taught had he remained.

Professor Martin Lawrence Friedland submitted his resignation from the full-time Faculty of Osgoode Hall Law School in a letter to the Dean dated the 17th November 1964, effective from the 30th June 1965. The resignation was accepted.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 18th November 1964, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Common, Gray, Harris, Howland, Keith, Levinter, Slemin, Steele and R. F. Wilson.

FINANCIAL STATEMENT, 1st July to 31st October 1964.
Approved.

ROLLS AND RECORDS

The Secretary reports—

(1) *Appointment to the Bench*

That the following former member of the Law Society has been honoured in his appointment to judicial office, and his record has been transferred to the inactive list:

E. McL. Shortt, Q.C., London	Called — 19th June 1941; Appointed C.C. Judge, Lanark, 1st October 1964

(2) *Deaths*

That the following former members of the Law Society have died and their records have been transferred to Past Records:

Wallace Card, Orillia	Called — 15th June 1939; Deceased — 27th October 1964.
G. W. G. Gauld, Q.C., Toronto	Called — 11th September 1919 Deceased — 28th October 1964.

Noted.

The Secretary asks permission to transfer the Record Sheets of the following to Past Records:

W. Lloyd Hipperson, Regina, Sask.	Called — 17th September 1942; Appointed Judge of the Magistrates' Court, Regina August 1964.

Approved.

ANNUAL FEES — *Compensation Fund Levy*

The Secretary reports that the result of the recent changes is as follows:

Fees — Every member of the Society, regardless of the type of practice in which he is engaged, or whether he is in practice, and whether or not within the Province of Ontario, pays the same Law Society fees — presently $70.00.

Compensation Fund Levy — There was an increase in the levy to $100.00, but there was no recommendation as to any change in policy as to who pays the levy.

All members practising or employed in Ontario pay the Compensation Fund levy except the following:

(a) Members fully retired from practice or other employment.

(b) Members called to the Bar since 30th November 1963.

Members outside the Province of Ontario do not pay the levy.

Approved.

Payment by instalments — Since the increase of fees and Compensation Fund levy to $170.00 per annum, inquiries have been made as to whether these fees might be paid by instalments.

Your Committee recommends that any member who asks for consideration of payment on terms, be permitted to pay one-half of the total fee and Compensation Fund levy — $85.00 — by 1st December 1964, and the balance of $85.00 by the 1st March 1965.

HONORARY LIFE MEMBERSHIP

Pursuant to a policy amended and adopted by Convocation on the 15th January 1960, the Secretary reports that as of 1st December 1964 the following become Honorary Life Members of the Law Society of Upper Canada:

Barristers and Solicitors	*Address*	*Date of Call*
James Stewart Allan, Q.C.	Windsor	Easter 1914
Everett Bristol, Q.C.	Toronto	Easter 1914
Norman Stuart Caudwell, Q.C.	Toronto	Easter 1914
James Francis Coughlin, Q.C.	Toronto	Trinity 1914
Angus McKenzie Dewar, Q.C.	Toronto	Easter 1914
Russell Morrison Dick, Q.C.	Ottawa	Easter 1914
Ernest Macaulay Dillon, Q.C.	Toronto	Hilary 1914
Hugh Harvie Donald, Q.C.	Toronto	Easter 1914
Thomas Spaven Elmore, Q.C.	Toronto	Hilary 1914
James Moffat Forgie	Pembroke	Trinity 1914
William Henry Furlong	Windsor	Trinity 1914
William Norman Hancock, Q.C.	Galt	Michaelmas 1914
Daniel Webster Lang, Q.C.	Toronto	Michaelmas 1914
Waldon Lawr, Q.C.	Toronto	Trinity 1914
Leopold Macaulay, Q.C.	Toronto	Easter 1914
Arthur Albert Macdonald, Q.C.	Toronto	Hilary 1914
William Perry Mackay, Q.C.	Simcoe	Easter 1914
William Harold Male, Q.C.	Toronto	Trinity 1914
Stanley Gardner Metcalfe, Q.C.	Ottawa	Easter 1914
George Whitaker Morley, Q.C.	Bobcaygeon	Easter 1914

Charles Guy Robertson, Q.C.	Preston	Easter 1914
Henry Smith Robinson, Q.C.	Hamilton	Trinity 1914
Samuel Rogers, Q.C.	Toronto	Easter 1914
Abraham Singer, Q.C.	Toronto	Michaelmas 1914
Hamilton James Stuart, Q.C.	Toronto	Trinity 1914
Bert Henry Luther Symmes, Q.C.	Toronto	Trinity 1914

Bar Only

Percy Wood Beatty, Q.C.	Caledon East	Easter 1914
Samuel Joseph Birnbaum, Q.C.	Toronto	Easter 1914
Cecil Lorne Carrick, Q.C.	Grimsby	Trinity 1914
Anson Hainsworth Foster, Q.C.	Tucson Arizona	Hilary 1914
Russell Norman McCormick	Toronto	Easter 1914

Judges

Arthur Harold Dowler	Port Arthur	Trinity 1909
James Chalmers McRuer, Q.C.	Toronto	Hilary 1914
Walter Tyrie Robb	Dunnville	Trinity 1914

Approved.

LUNCHEON ROOM

The Misses Lennox present a statement of the operation of the Luncheon Room for the year ending 4th September 1964 showing a gross profit for the year of $3,380.37. During the year 32,245 meals were served, of which 4,017 were special dinners.

Received.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

October 31—Convocation Hall for a dinner by the Judges in honour of the Honourable J. C. McRuer

November 17/64 — January 14/65—Wills and Trusts Section, C.B.A — Convocation Hall and the Lawyers' Lounge for dinner meetings.

November 21—Special Committee on Publications, C.B.A. — 10 a.m. Benchers' Library — Mr. S. E. Fennell, Q.C.

November 26—County of York Law Association — Annual Dinner — Convocation Hall.

December 1—Medico-Legal Society — Dinner meeting — Convocation Hall.

December 4—Meeting of the Deans of approved Law Schools of Ontario — Convocation Room. Luncheon in the Benchers' Dining Room.

December 11—Bar Admission Course students' dance — Convocation Hall and Outer Barristers' Common Room.

1965

January 28—Thomas More Guild — Dinner meeting, Convocation Hall.

June 4 - 5—Conference on Company Law — Professor Baxter.

Approved.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE

RE: LOUIS DAVIDSON, Q.C., Toronto

Mr. O'Brien, Chairman presented the Report.

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he administered the oath and subscribed his name on the affidavit of legal age and marital status in twelve instruments purporting to have been signed by parties who had not in fact signed the affidavits nor sworn to their contents, forged a name to two mortgages and purported to swear affidavits which were not in fact made by the person whose name was forged, was a party to the execution and registration of a conveyance he knew to be spurious, executed documents using an assumed name and purported to swear and subscribe his real name to affidavits purporting to have been sworn by a person other than himself, having the assumed name; swore affidavits made in the assumed name, which were false as to marital status, and purported to witness the signing of his assumed name, and recommended that the solicitor be disbarred and that his name be stricken from the Rolls and Records of the Society.

Moved by Mr. O'Brien, seconded by Mr. G. A. Martin, that the Report be adopted.

The solicitor attended with his counsel, Mr. D. D. Carrick, Q.C., who addressed Convocation.

Moved in amendment by Mr. Maloney, seconded by Mr. Chitty, that the Report be amended by substituting for the penalty of disbarment, the penalty of suspension for one year.

The amendment was lost.

The report was adopted.

It was accordingly ordered

1. THAT the Report of the Discipline Committee in the matter of LOUIS DAVIDSON, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said LOUIS DAVIDSON guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said LOUIS DAVIDSON be disbarred.
4. THAT the said LOUIS DAVIDSON is unworthy to practice as a Solicitor.

RE: DOUGLAS CAMERON McKECHNIE, Toronto

Mr. O'Brien, Chairman, presented the Report.

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he failed to maintain the required books of record, failed to proceed in accordance with clients' instructions, did not account for sums of money received in trust (about $700.00) and did not return documents entrusted to him, and recommended that the solicitor be disbarred and that his name be stricken from the Rolls and Records of the Society.

Moved by Mr. O'Brien, seconded by Mr. G. A. Martin that the Report be adopted.

The solicitor did not attend nor was he represented by counsel.

The motion was carried.

It was accordingly ordered —

1. THAT the Report of the Discipline Committee in the matter of DOUGLAS CAMERON McKECHNIE, Barrister, a member

of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said DOUGLAS CAMERON MCKECHNIE guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said DOUGLAS CAMERON MCKECHNIE be disbarred.
4. THAT the said DOUGLAS CAMERON MCKECHNIE is unworthy to practise as a Solicitor.

REPORT OF A SUB-COMMITTEE OF THE DISCIPLINE COMMITTEE

Mr. O'Brien read a Report of a Sub-Committee of the Discipline Committee with reference to delegating powers of investigating compensation fund claims and recommending that the Law Society request an appropriate amendment to The Law Society Act:

20th November 1964

REPORT OF THE SUB-COMMITTEE OF THE DISCIPLINE COMMITTEE

At its meeting on the 8th October 1964 your Committee recommended the appointment by the Chairman of a subcommittee to consider the Rules Respecting Accounts, recent problems of the Compensation Fund, including the possibility of delegating investigation of claims to persons outside the Bench and legislation providing for the appointment of a trustee of the professional affairs of solicitors or former solicitors in certain circumstances.

The Chairman appointed Messrs. Keith, Gray, Martin, Pattillo and Wright to meet with him as the Sub-Committee.

Your Sub-Committee met on 28th October and on 19th November, the following members being present:

October 28th—Mr. O'Brien in the Chair,
Messrs, Gray, Martin, Pattillo and Wright.

November 19th—Mr. O'Brien in the Chair,
Messrs. Gray, Martin and Wright.

The Sub-Committee discussed at length the various aspects of the problems that have arisen in connection with the Compensation Fund, including the fact that experience has shown that a special hazard exists where solicitors practice alone and also where solicitors engage in the investment business, especially where interest rates are higher than usual.

There was a full discussion of the desirability from the standpoint of the Fund of attempting to regulate or control such situations, either by the impost of a special levy, or by requiring bonding, or the employment of full-time auditors. The Sub-Committee was of the opinion that our Committee should not make decisions of such a radical nature that would affect in a drastic way the practice of a great many solicitors who carry on their practice in a perfectly proper manner. On the other hand the Sub-Committee felt that the matter should be given further study, and that it should be brought to the attention of Convocation with the suggestion that the time was opportune for a study of the legal profession with a view to defining and perhaps limiting the legitimate fields of endeavour that are or should be open to a barrister and solicitor practising in Ontario.

Consideration was also given to an announcement to the profession and to the public concerning claims which arise from investment or intended investment in high interest and large bonus loans. Your Sub-Committee was of the opinion that the Professional Conduct Committee should be asked to consider an announcement to the profession concerning solicitors who engage in transactions that may offend the Unconscionable Transactions Act, and the Discipline Committee should consider the publication of a notice to the public that the Fund would not ordinarily be available to meet claims arising from transactions or intended transactions that offended or were within the area of unconscionable transactions within the meaning of that Act, explaining that public policy does not countenance indemnity against loss arising from unlawful transactions.

Your Committee was of the opinion that until the Compensation Fund is in a healthy financial position, and subject always to the general discretion of the Committee, no claimant should receive more than $15,000.00 and that payment should not be made in excess of a total of $100,000.00 in relation to the practice of any one solicitor.

Your Committee also felt that further consideration should be given to these problems in the Committee as a whole.

Your Sub-Committee has considered legislation providing for the appointment of a trustee of the professional affairs of a solicitor or former solicitor in certain circumstances, and in particular gave consideration to the existing legislation in Saskatchewan. Your Sub-Committee was of the opinion that such legislation was desirable but that it should be integrated with the existing legislation that provides for the freezing of trust accounts and consideration should also be given to possibly improving upon the legislation that presently exists in Saskatchewan, and for these purposes a drafting Sub-Committee should be appointed.

Your Sub-Committee has considered the question of the delegation of the powers of this Committee to a person or persons other than Benchers in relation to claims against the Compensation Fund and reached the conclusion that it would not be possible to do this unless and until the Law Society Act were amended so as to give such person or persons the power to swear witnesses and conduct hearings in the manner that is now permitted in the case of investigations by the Discipline Committee. Since this is a matter of some urgency it was considered proper that the fact that an amendment to the Act was desirable should be brought to the attention of November Convocation, so that if Convocation agreed, the matter could be referred to the Committee on legislation in time to be considered by the Legislature at the session commencing in January, 1965.

Your Sub-Committee considered the matter of revision of the Rules Respecting Accounts but reached the conclusion that it would be desirable to defer any action until a Committee headed by Mr. Pattillo, which is considering the problem of income tax claims and trust accounts, has made its report, since if the Rules Respecting Accounts are to be amended it is desirable that all amendments be considered at the same time.

Moved by Mr. O'Brien, seconded by Mr. Wright, that the Report be adopted.

Carried.

CONVOCATION ADJOURNED AT 12:55 p.m.

CONVOCATION RESUMED AT 12:15 p.m., a quorum being present.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met Thursday, the 19th November 1964 at 10:30 a.m., the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, O'Brien and Strauss.

Your Committee considered a general report by its Chairman on touting, advertising and attracting business unfairly and decided to re-examine the Rulings with regard to these matters in the light of the report.

Your Committee reports that it has

(a) advised a solicitor that it is proper for a member of the Board of Governors of a University in Ontario to appear as counsel or to act for the University either on a fee or honorarium basis or without charge;

(b) advised a private solicitor acting for an Official Board of the Ontario Government that in the special circumstances of the case he was permitted to have his name as solicitor on the Board's letterhead as submitted to the Committee on the ground that the body was a public one;

(c) advised two solicitors that it was improper to advertise in the Ontario Reports that they were available for special work;

(d) referred the question of the Canada Bonded Attorney and entries in law lists elsewhere to a special Sub-Committee;

(e) advised solicitors who, for a fee, had been asked to send out collection letters wholly from their office for a collection agency, that the Committee does not disapprove the practice proposed. The Committee disapproved the use of mimeographed letters for this purpose and did not pass upon whether the fee mentioned conformed to the local tariff.

(f) prepared a redraft of Ruling 9 with a view to having the draft published in the Ontario Reports, with an invitation for comments from the profession;

(g) advised a solicitor who had been retained by a married woman that it would be improper for him to act on behalf of the husband in connection with divorce and other proceedings;

(h) advised a solicitor who submitted a letter which he proposed to send to those who have left Wills in his office suggesting they be brought up to date that the Committee approved the object and practice but that such a letter should simply draw to the testator's attention that an unrevised

Will is in the office and may require revision, unless it is an individual letter dealing with an individual Will;

(i) advised a solicitor who had received a direction to pay moneys given to him on behalf of a client that when the client had changed solicitors the solicitor's professional duty was simply to bring to the attention of the new solicitor and to the person in whose favour the direction was drawn the fact of the direction. The Committee expressed no opinion on any other issues which might be involved.

Your Committee is continuing the examination of the Rulings on which it has reported previously.

THE REPORT WAS ADOPTED

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 18th November 1964, the following members being present: Messrs. Steele (Chairman), Harris, Keith, Slemin and Strauss.

LIBRARY STAFF

Your Committee recommended in May 1964 the appointment of an additional member to the Great Library staff. Your Committee now recommends that Miss Eleanor Rose Moore be engaged.

Your Committee further recommends that a professional librarian be added to the staff in 1965 as soon as a suitable applicant can be found.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 20th November 1964, the following members being present: Mr. R. L. Seaman (Chairman), Mr. R. D. Steele, (Vice-Chairman) and Messrs. Beament, Creighton, Fennell, Ford, Levinter, Sheard, Slemin and Strauss.

PHIL GLANZER (*The Division Courts Act*)

A precis prepared by the Secretary with respect to all complaints concerning Phil Glanzer, incorporating in each instance the report of Mr. C. H. Walker, counsel for the Committee, and the recommendations of the Committee from 20th

February 1959 to 6th October 1964, was reviewed by your Committee at its October meeting.

Your Committee requested its Chairman and a member, Mr. Gordon Ford, Q.C., to attend on the Attorney-General to suggest the amendment of Section 100 of the Division Courts Act.

The Chairman and Mr. Ford informed the Committee that they received a most sympathetic hearing from the Attorney-General.

Your Committee recommends that the matter with respect to Phil Glanzer stand until the Committee has knowledge of what amendment might be made to Section 100 of the Division Courts Act.

UNAUTHORIZED PRACTICE

The Committee recommends that two matters be referred to the Discipline Committee with a request to report back; three matters stand for a report from counsel, and three matters stand for further consideration.

THE REPORT WAS RECEIVED

COUNTY LIBRARIES COMMITTEE—Mr. Fennell

Your Committee met on the 29th November 1964, the following members being present: Messrs. Fennell (Vice-Chairman), Seaman, Slemin, Steele and Strauss.

INSPECTION

The Chief Librarian presented Part I of his report on the 1963-64 inspection of county and district libraries at the June meeting of the Committee. Your Committee reports that he has now completed the inspection and presented Part II of the report covering the sixteen libraries inspected since June.

THE REPORT WAS ADOPTED

CONTINUING EDUCATION COMMITTEE—Mr. Robins

Your Committee met on the 15th October 1964, the following members being present: Messrs. Robins (Chairman), Gray (Vice-Chairman), Howland and Slemin; and on the 19th November 1964, the following members being present:

Messrs. Robins (Chairman), Gray (Vice-Chairman), Howland, Jamieson, Maloney, O'Brien and Slemin.

ESTIMATES, 1964-65

Your Committee approved of estimates for the year 1964-65 for submission to the Finance Committee.

CONTINUING EDUCATION (1964) — Taxation

The total number registered for the special course of lectures this year was 550. Approximately 42% of the lawyers registered were from outside the Metropolitan Toronto area, and covered the Province generally. Fifty members of the Institutes of Chartered Accountants of Ontario were invited to attend at the regular fee. The usual buffet luncheons were held on each Saturday. Richard DeBoo Limited printed the lectures and copies have been distributed to all those who registered for the course, including the members of the Institute of Chartered Accountants. Copies at special prices were supplied to the Law Society for its subscribers, the Great Library, County Law Associations, and law students enrolled in Ontario Law Schools. The general sale price is $17.50. Specially bound volumes have been presented to the lecturers and members of the Committee. Richard DeBoo again provided the Secretary with a sufficient number of copies so that one could be presented to each of the other Canadian Law Societies, the Law Society of England, and certain selected law libraries.

Approved.

CONTINUING EDUCATION LECTURES 1965

After consideration of several suggested subjects for the lectures in 1965, your Committee recommends that the subject — THE LEASE IN MODERN BUSINESS — be approved, and that the lecture headings and the selection of the lecturers be referred to the Chairman to arrange in consultation with any member of your Committee.

Your Committee recommends that these lectures be held on the 12th and 13th March, and the 19th and 20th March 1965; that the registration fee be $15.00; and that the usual buffet luncheon be given on both Saturdays; and that an announcement be given in the Ontario Reports as soon as arrangements are completed.

GUESTS

Your Committee recommends that a limited number of the members of Real Estate Associations be permitted to register for the course.

THE REPORT WAS ADOPTED

CORRESPONDENCE

The Treasurer read the following correspondence:

Letter from the Rt. Honourable Lord Denning, Master of the Rolls, thanking the Treasurer and Benchers for entertaining him at dinner at Osgoode Hall on 8th September 1964.

Letter from Dr. Harold G. Fox, Q.C., LL.D., thanking the Treasurer and Benchers for the handsome scroll he has received confirming his admission to the degree of Doctor of Laws honoris causa.

ORDERED that this correspondence be received and filed.

Letter from a member of the Society in Middlesex County inquiring as to whether the the Law Society will submit a brief to the Royal Commission to Inquire into Civil Rights.

The Treasurer reported that he is one of the consultants to the Honourable J. C. McRuer, the Commissioner, and that several of the Ontario sub-sections of the Canadian Bar Association, including the Section on Civil Liberties, are considering this matter. The Secretary was requested to write to the Chairman of the Ontario Sub-Section on Civil Liberties informing him that the Law Society will assist, if possible.

Moved by Mr. Weir, seconded by Mr. Ford, that Convocation take no specific action at this time, except to inform the member in Middlesex County on what is being done by the Canadian Bar Association, and pointing out that the Treasurer is a consultant to the Commissioner.

Carried.

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer

MEETING OF CONVOCATION

FRIDAY, 15TH JANUARY 1965
10:30 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Beaton, Cassels, Chitty, Clement, Common, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Jamieson, Levinter, Maloney, G. A. Martin, W. S. Martin, McCulloch, McLaughlin, O'Brien, Pattillo, Raney, Robins, Roebuck, Seaman, Sheard, Slemin, Steele, Strauss, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 20th November 1964 were read and confirmed.

The Treasurer welcomed to Convocation Mr. W. S. Martin, Q.C., after his lengthy illness.

UNFINISHED BUSINESS

Election of Bencher

Mr. Russell Nelles Starr, Q.C. of Toronto was elected a Bencher to fill the vacancy caused by the resignation of Mr. E. F. S. Sanders, Q.C., of St. Thomas.

Committees

Mr. R. N. Starr, Q.C. was appointed to the following Committees: Discipline and Legal Education.

BENCHERS

The Treasurer announced that, pursuant to section 1(4) of The Law Society Amendment Act 1964, Mr. Samuel Edward Weir, Q.C. of London would become a Bencher ex officio on the 19th January 1965, and there would then be a vacancy in the number of thirty elected Benchers.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 14th January 1965, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Gregory, Pattillo, Sheard, Slemin and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Messrs. E. H. Kasdan, E. R. Pepper, Q.C., G. C. Power and P. B. Tobias.

OSGOODE HALL LAW SCHOOL

FALL TERM EXAMINATIONS — 1964

In the Osgoode Hall Law School your Committee received the Fall Term Examinations results for all three years. In the First Year 192 students wrote two subjects; 32 students failed in one or more subjects. In the Second Year 147 students wrote two subjects; 12 students failed in one or more subjects. In the Third Year 136 students wrote; 8 students failed in one subject.

MID-WINTER MEETING, ONTARIO SECTION, THE CANADIAN BAR ASSOCIATION

The registration fees, travel and accommodation expenses for seven members of the Faculty were authorized to be paid out of the Law School expense account to enable them to attend the Mid-Winter Meeting of the Ontario Section of the Canadian Bar Association in Niagara Falls, Ontario.

COMMISSION ON THE FINANCING OF HIGHER EDUCATION — V. W. BLADEN

It was noted that the Treasurer appointed W. G. C. Howland, Esq., Q.C., to represent the Society before the Commission on the Financing of Higher Education of which Dr. V. W. Bladen is Chairman. The Dean will accompany him to the meeting on the 18th January 1965.

UNIVERSITY AFFAIRS COMMITTEE— SUBMISSION RE INCREASED LAW SCHOOL FACILITIES

The Committee authorized a submission to the Minister of University Affairs setting forth the need for increasing the size of the existing law schools in Ontario or alternatively for establishing new law schools.

LAW SCHOOL FEES INCREASE

The Committee approved an increase in the Osgoode Hall Law School fees from $400.00 to $500.00, effective as of 1st July 1965.

APPOINTMENT OF LAW SCHOOL STAFF — PROFESSOR ALAN WILLIAM MEWETT

The appointment of Professor Alan William Mewett to the full-time teaching staff of the Law School with the rank of full Professor beginning the 1st July 1965, was approved. Professor Mewett is to be Director of the Criminal Law Programme.

SCHOLARSHIPS — SECOND YEAR — $200

The Committee accepted with appreciation the capital sum of $10,000.00 from Roland O. Daly, Esq., Q.C., the annual income to be used for a scholarship for the student standing first in the second year in Osgoode Hall Law School. On the donor's death the scholarship is to be known as The Roland O. Daly Memorial Scholarship.

APPROVAL OF LAW FACULTIES

Manitoba Law School

Manitoba Law School was approved for the purpose of having its graduates admitted to the Bar Admission Course. The approval extends to those who graduate in 1965, 1966 and 1967, who entered Manitoba Law School after completing at least two years beyond senior matriculation.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on Thursday, the 14th January 1965, at 3:45 p.m, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Pattillo and Robins.

Transfers

Your Committee considered applications for transfer from other jurisdictions and made recommendations thereon.

Report of the Examining Board

The report of the examinations held in January 1965, is before the Committee. One candidate sat the examination and passed. His name is:

Richard Ernest Parr.

Approved.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE — Mr. Gregory

Your Committee met on Wednesday, the 13th January 1965, the following members being present: Messrs. Sheard (Vice-Chairman) in the Chair, Gray, Harris, Howland, Levinter, W. S. Martin and Steele.

Financial Statement, 1st July to 31st December 1964

Approved.

Rolls and Records

The Secretary reports:

(1) *Appointment to the Bench* — That the following former member of the Law Society has been honoured in his appointment to judicial office, and his name has been removed from the rolls and records of the Society:

F. T. McDermott, Q.C., Toronto	Called — 19th November 1925; Appointed Judge, S.C.O., 4th January 1965.

(2) *Deaths* — That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

James H. G. Wallace, Toronto	Called — 25th June 1953; Deceased — 30th October, 1964.
W. P. Morling, Manotick	Called — 15th June 1933; Deceased—10th November 1964.
Wm. E. MacDonald, Q.C., Port Credit	Called — 2nd May 1949; Deceased—27th November 1964.

R. A. Patchell, Omemee	Called — 30th September 1915; Deceased — 6th December 1964.
Wm. Proudfoot, Q.C., Toronto (Honorary Life Member)	Called — 2nd October 1913; Deceased—15th December 1964.
Llewellyn Purdom, London	Called — 3rd April 1924; Deceased—28th December 1964.
T. W. Lawson, Q.C., Toronto (Honorary Life Member)	Called — 27th June 1910; Deceased — 5th January 1965.

(3) *Disbarments* — That the following former members of the Law Society have been disbarred and struck off the rolls and their names have been removed from the rolls and records of the Law Society:

Louis Davidson, Q.C., Toronto	Called — 15th Nov. 1934; Disbarred — 20th Nov. 1964.
Douglas C. McKechnie, Toronto	Called — 18th Sept. 1959; Disbarred — 20th Nov. 1964.

Noted.

Change of Name

Antoine de Lotbiniere Panet is entered on the rolls and records of the Law Society as A. de Lobe Panet. He asks that his name be changed to his proper name.

Horace George Bristow is entered on the rolls and records of the Society as George Bristow. He asks that his name be changed to his proper name.

Your Committee recommends that these requests be granted.

Solicitor's Practising Certificate

William Osgoode Langdon — was called to the Bar and sworn in as a solicitor on the 18th November 1920. He files a declaration that he has not practised as a solicitor in Ontario from the 1st day of January 1952 to the present, and that during that time he carried out the full-time duties of a Magistrate of the Province in the District of Algoma and continues to do so. He files a cheque in the sum of $420.00 to cover arrears of Bar fees and Compensation Fund levy, and his fee for his Practising Certificate for the current year.

Although the declaration, cheque and covering letter were received on October 24th, after the new rules were in effect, Mr. Langdon has been in correspondence with the Secretary since May 12th of 1964.

In view of the special circumstances the Committee recommended on November 18th 1964 that the solicitor's Practising Certificate be issued.

On November 23rd Mr. Langdon wrote to the Secretary saying that he had changed his mind, did not wish to take out his Certificate, and asked for the return of his cheque.

Your Committee recommends that Mr. Langdon's cheque be returned, and that no further action be taken.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Dec. 8/64	Civil Liberties Section, C.B.A. — Barristers' Lounge for monthly meeting — 8 p.m.
Jan. 12/65	Civil Liberties Section, C.B.A. — Barristers' Lounge for monthly meeting — 8 p.m.
Jan. 21/65 Feb. 25 Mar. 25	Reading Club — Dinner meetings — Convocation Hall.
Jan. 23	Judges' dinner in honour of Mr. Justice D. P. J. Kelly.
Jan. 27	County of York Law Association — Annual Meeting and Dinner — Convocation Hall.
Jan. 29	Osgoode Hall Legal & Literary Society — Third Year class party — Convocation Hall.
Feb. 5	Osgoode Hall Legal & Literary Society — Second Year class party — Convocation Hall.
Feb. 10	Model Parliament, Legal & Literary Society — Convocation Hall.
Feb. 11	Canadian Civil Liberties Association — Room 102 of Law School, for organization meeting — 8 p.m.
Apr. 28	John Howard Society — Annual Meeting — Convocation Hall.
Jan. 19th) Mar. 16th) May 18th)	Wills and Trusts Section, C.B.A. — Convocation Hall and Lounge.
Feb. 18th) Mar. 18th) Apr. 24th) May 13th)	The Lawyers Club — Convocation Hall and Lounge — dinner meetings.

Noted.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE

Mr. O'Brien presented the Reports of the Discipline Committee:

RE: GEORGE CARRUTHERS HEWSON, Georgetown

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had received a sum of money in trust for an estate, but failed to deposit it in his trust bank account as required by Rule 1 of the Rules Respecting Accounts; permitted various of his clients' trust accounts to become overdrawn; failed to maintain at all times, and particularly in August 1964, sufficient money on deposit in his trust bank account to satisfy his indebtedness to clients for trust funds; and recommended that he be disbarred and struck off the rolls of The Law Society of Upper Canada.

Note: The shortages referred to were approximately $22,548.78. Part of the money advanced to clients whose trust accounts were thereby overdrawn was advanced to enterprises in which the solicitor had a personal interest.

Moved by Mr. O'Brien, seconded by Mr. G. A. Martin, that the Report be adopted.

The solicitor attended with his counsel, Mr. J. H. Francis, who addressed Convocation.

The motion was carried.

It was accordingly ordered:

1. THAT the Report of the Discipline Committee in the matter of GEORGE CARRUTHERS HEWSON, Barrister a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said GEORGE CARRUTHERS HEWSON guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said GEORGE CARRUTHERS HEWSON be disbarred.
4. THAT the said GEORGE CARRUTHERS HEWSON is unworthy to practise as a Solicitor.

RE: HENRY KOURY

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had been convicted on a charge that he, in or about the month of March, in the year 1960, at the City of Toronto, in the County of York, did unlawfully by deceit, falsehood or other fraudulent means, defraud Stadacona Mines (1944) Limited of valuable securities, equipment and machinery, a cheque in the amount of $300,000.00 drawn by Stadacona Mines (1944) Limited payable to Norado Mines Limited, $50,000.00 in trust money, and choses in action, to the total value of approximately Three Hundred Thousand Dollars, ($300,000.00) contrary to the Criminal Code, and the following punishment was imposed upon him, namely, that he be imprisoned in the Reformatory for the term of one and one-half years; and recommended that he be disbarred and struck off the rolls of The Law Society of Upper Canada.

Moved by Mr. O'Brien, seconded by Mr. McLaughlin, that the Report be adopted.

The solicitor attended and addressed Convocation.

Mr. G. A. Martin asked that it be recorded in the Minutes that he took no part in this matter.

Moved in amendment by Mr. Levinter, seconded by Mr. Gray, that the Report be amended by substituting for the penalty of disbarment the penalty of suspension for two years.

The amendment was lost. The motion was carried.

It was accordingly ordered:

1. THAT the Report of the Discipline Committee in the matter of HENRY KOURY, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said HENRY KOURY guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said HENRY KOURY be disbarred.
4. THAT the said HENRY KOURY is unworthy to practise as a Solicitor.

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had permitted various of his clients' trust accounts to become overdrawn; and had failed to maintain at all times, particularly in May 1964, sufficient money on deposit in his trust bank account to satisfy his indebtedness to clients for trust funds; and recommended that the solicitor be reprimanded in Convocation; that he be required to submit audited statements of his account quarter yearly for one year; and that he be required to pay the cost of the Society's investigation.

Note: The shortages referred to were approximately $9,224.60. In most cases the overdrawn position was of short duration and the solicitor derived no personal benefit.

Moved by Mr. O'Brien, seconded by Mr. Howland, that the Report be adopted.

The solicitor attended and addressed Convocation.

Moved in amendment by Mr. Pattillo, seconded by Mr. McLaughlin, that the matter be referred back to the Discipline Committee for further consideration as to penalty in the light of the discussion in Convocation.

The amendment was lost. The motion was carried.

The solicitor attended before Convocation and was reprimanded by the Treasurer.

ORDERS

The Secretary placed before Convocation the following Orders which, in compliance with Rule 79, are entered on the Minutes of Convocation:

RE: LOUIS DAVIDSON
RE: DOUGLAS CAMERON MCKECHNIE

Orders Striking off the Rolls.

LIBRARY COMMITTEE — Mr. Steele

Your Committee met on the 13th January 1965 the following members being present: Messrs. Steele (Chairman), W. S. Martin (Vice-Chairman), Harris, Levinter and Strauss.

COUNTY OF YORK LAW ASSOCIATION

The County of York Law Association has requested a grant to enable it to purchase additional sets of books that will be needed in its library in the new court house. Your Committee recommends that representatives of the Association be asked to meet with the members of the Committee to discuss this matter prior to the February Convocation.

UNIVERSITY OF TORONTO LIBRARY

A letter has been received from Mr. J. A. Langford in which he suggests that some sets of old books belonging to the library, but rarely if ever used, be given to the University of Toronto Library to be stored in its new research library which is soon to be built. Your Committee has asked the Chief Librarian to prepare a list of such books with approximate values for use in considering this suggestion.

PHOTO-COPY SERVICE

Your Committee recommends that the Chief Librarian be authorized to have installed on a temporary and experimental basis a Docustat coin-operated copying machine which would be used by the members of the Society requiring copies, at no cost to the society.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE

At the request of the Treasurer, Mr. Wright presented the Report of the Reporting Committee:

Your Committee met on Wednesday, the 13th January 1965, the following members being present: Messrs. Wright (in the Chair), Harris, Levinter, W. S. Martin, O'Brien and Strauss.

REPORTING — Free List

At its meeting on the 15th January 1964 your Committee considered a memorandum from the Secretary of the 8th January, and a letter from the then Chairman, Mr. Peter Wright of the 10th January 1964, explaining how the free list was made up under the old Rule 68.

At that time the free list was made up of 132 judges, (being those of the Supreme Court of Ontario, the Supreme Court of Canada, the Exchequer Court, County Court Judges (Ontario)) and the Judges Library at Osgoode Hall. In addition there were 54 Miscellaneous, for a total of 186. Under the new policy of payment of Law Society fees, 31 persons who appeared on the Miscellaneous list now pay full fees and receive the Reports and may be deleted from the free list. Instead of 54 Miscellaneous, there will be 23, for a total of 155.

The Committee approved of the list as checked and recommends that the policy be reviewed in January, 1966.

ORAL JUDGMENTS

In November 1964 Mr. Roy Fredericks, Executive Assistant to the Chief Justice of Ontario, suggested that the sale of copies of oral judgments might be handled through the Reporting Office of the Law Society rather than through the Judges' Secretaries.

Your Committee recommends the adoption of the following policies:

Copies of all oral judgments will be forwarded to the Law Society Reports Office at no cost, and will be submitted to the Canada Law Book Company. Copies of oral judgments will be sold to members of the profession or the public at the price charged for other judgments, $1.00 per page.

CANADA LAW REPORTS

Kenneth J. Matheson, Q.C., Registrar, S.C.C., sent to the Law Society the following notice:

> "Commencing with Part I of the 1965 Volume of the Canada Law Reports, these Reports will be mailed with the Supreme Court Reports and Exchequer Court Reports in separate pamphlets. Subscriptions will continue to be accepted for the Canada Law Reports, as such, only. No Subscriptions may be had for either the Supreme Court or Exchequer Court Reports alone.
>
> It is hoped that the availability of separate mailing and other production dates for the two series will accelerate delivery."

Noted.

ONTARIO REPORTS, 1964

The Canada Law Book Co. Limited presents the following report:

"We are pleased to report the following facts and figures in connection with our contract with the Law Society for the publication and distribution of The Ontario Reports for the calendar year 1964.

In the two volumes of Ontario Reports published during 1964 we find there are 1510 pages compared with the 1472 pages in the two volumes of Ontario Reports published in 1963.

We also published 204 pages of Minutes of Convocation compared to 163 pages published in 1963.

During 1964 we distributed 5585 copies of Ontario Reports to individual names on the Law Society's list compared to 5405 copies during 1963.

The amount charged to the Law Society for the Ontario Reports during 1964 was $42,235.15 compared to $35,750.19 in 1963. During 1964 both the cost of paper and wages increased so that the cost to the Law Society increased from $13.27 per page and $17.42 per page to $13.63 per page and $17.78 per page respectively."

Noted.

THE REPORT WAS ADOPTED

CONVOCATION ADJOURNED AT 12:45 P.M

CONVOCATION RESUMED AT 2:15 P.M,

a quorum being present.

PROFESSIONAL CONDUCT COMMITTEE — Mr. Wright

Your Committee met on Thursday, the 7th January, 1965, at 2:30 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien and Strauss.

(1) In particular connection with legal directories your Committee has been impressed with the desirability of having a uniform Ruling, if possible, in Canada. There are many other fields of Professional Conduct where it would be desirable

and convenient to develop uniform Rules and Rulings. Our Ruling 1, being the Canon of Ethics of the Canadian Bar Association, is the basis of professional conduct in most provinces. Your Committee recommends that the Society's representatives to the Executive Committee of the Conference of Governing Bodies of the Legal Profession in Canada meeting at the Seigniory Club in March should be asked to propose that a national Professional Conduct Committee be appointed to consider, draft and approve rules which all the Governing Bodies could consider and adopt if they wished without in any way impairing the autonomy of the Governing Bodies.

(2) Your Committee has had representations made to it that it would be desirable to make it a Ruling of Professional Conduct that members of the profession should draw to the Society's attention matters involving misconduct. The chartered accountants have a rule to this effect. After consideration your Committee recommends the following proposed Ruling:

"Every member shall unless prevented by good and sufficient reasons including his clients' privilege bring to the attention of the Society any instance involving or appearing to involve professional misconduct or conduct unbecoming a barrister, solicitor or student-at-law or reflecting on the honour of the Bar."

Your Committee recommends that the text of this Ruling should be published in a forthcoming part of the Ontario Reports inviting the comments of members of the profession, and that it should thereafter be considered by Convocation.

(3) Your Committee also considered a proposed Ruling respecting members failing to pay Income Tax or failing generally to meet their obligations as they become due. It was referred to Mr. O'Brien to prepare a proposed Ruling for further consideration.

(4) Your Committee also considered the following present Rulings in the Professional Conduct Handbook:

RULING 2 — ACTING FOR BOTH SIDES

Your Committee has redrafted the form of this Ruling and recommends that the present Ruling should be cancelled and that in its stead two new Rulings, 2 and 2-A, should be made after the next text has been published in a forthcoming part of the Ontario Reports and the comments of the profession invited.

Proposed Ruling 2:

"A solicitor must not act for two or more clients where their interests are in conflict. However, in connection with a real estate transaction where a solicitor is asked to act for a vendor and purchaser, or in any other matter where he contemplates that there may be a conflict of interest between two parties, he should in all such cases inform both parties that he is acting for both parties and that no information which he receives in connection with the transaction from either party can be treated as confidential so far as the other party is concerned. He should obtain the consent of both parties to act for them and advise them that if there is a conflict of interest which cannot be resolved he cannot continue to act for both parties in that matter and may not be able to act for either."

Proposed Ruling 2-A:

"Subject to lawful authority and to the special circumstances set forth in Ruling 2, the disclosure by a solicitor of confidential information obtained by him in the course of carrying out his professional duties, or the use of such confidential information either for the benefit of the solicitor or against the interest of the party from whom such confidential information was obtained, is professional misconduct."

RULING 9 — DISBARRED PERSONS

In the December 18, 1964, part of the Ontario Reports a Notice was published to the profession that the Committee was considering amending this Ruling. As a result of this Notice thirty letters were received from members of the profession. These letters were considered by the Committee and particularly the issue of whether or not a discretionary power should be given to the Committee or Convocation to permit disbarred persons in special cases to work in a solicitor's office. Your Committee recommends that present Ruling 9 be cancelled and replaced by a Ruling in the following form.

"Ruling 9 — Disbarred Persons:

No member of the Law Society of Upper Canada shall retain, use the services of or employ in any capacity having to do with the practice of law any person who has been disbarred or struck off the Rolls in Ontario or elsewhere and who has not been reinstated."

RULING 10 — SIGNS

Your Committee is continuing its consideration of the whole question of touting, advertising and unfair attraction of business and will be reporting further. In the meantime it is studying Ruling 10 — Signs, it being apparent that there are many signs used by lawyers at the present time in the province which are offensive to the traditions of the profession. Your Committee recommends that Convocation should consider the cancellation of Ruling 10 and replacing it by the proposed Ruling after the proposed Ruling has been published in a forthcoming part of the Ontario Reports.

Proposed Ruling 10:

"(1) Signs identifying the office of a member should be restricted to the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm and the words "barrister and solicitor", "law office", or the plural where applicable; the words "notary" or "commissioner for oaths" or both and their plural where applicable may be added. A statement of office hours or alternative addresses may appear.

(2) Such words as "money to loan", "lawyers", "insurance office", "proctors", "attorneys", "mortgages", "solicitor to the township", and the like if now in use will be removed not later than the 1st of June 1965.

(3) Lettering and signs will be of modest size and in good taste. As a general guide no sign need have the letters larger than six inches in height.

(4) The Professional Conduct Committee may in special circumstances authorize exceptions to this Ruling."

RULING 12 — LETTERHEADS

Your Committee considered Ruling 12 establishing an exception permitting patent agents' names to appear on the letterhead of barristers and solicitors, and recommends that by Notice in a forthcoming part of the Ontario Reports the profession should be advised that the cancellation of the second part of Ruling 12 is being considered by the Professional Conduct Committee who would welcome the view of members of the profession.

RULING 13 — MUNICIPAL COUNCILS

This is a general Ruling against serving two conflicting interests which is much wider than the title suggests. Your

Committee recommends that the heading of the Ruling should be amended to read "Conflict of Interest with regard to Public and Other Offices".

RULING 16 — ADVERTISING

The position with regard to the yellow pages of telephone books in the province is causing considerable concern in the profession. Your Committee authorized Mr. Strauss to discuss the situation with the Bell Telephone Company of Canada so that the Committee might recommend to Convocation a satisfactory Ruling.

RULING 21 — TRUST ACCOUNTS

Reference was made in the Ontario Reports published on November 20, 1964, to the reconsideration of this Ruling in the light of the Judgment of the House of Lords, and comments from members of the profession were invited. One detailed and informed comment was received but in the meantime there has been forwarded to the Society a copy of the firm advice given by The Law Society in England to its members under date of December 9, 1964. In the light of its consideration of the matter your Committee recommends that Ruling 21 should be cancelled.

RULING 30 — PUBLIC APPEARANCES BY SOLICITORS

The Ruling of the Law Society of British Columbia dealing with this matter was referred to Mr. Keith to compare the Ontario Ruling with the British Columbia one for consideration at the next meeting of this Committee.

YOUR COMMITTEE FURTHER WISHES TO REPORT THAT IT HAS:

(a) advised a solicitor that any commission received by a member of the profession for investing funds must be disclosed to the client;

(b) advised a solicitor not to apply to register as a mortgage broker under a firm name;

(c) taken steps to provide a citizen with a lawyer where a plaintiff retained one firm of solicitors in town to prosecute his case and the other firm not to defend it. Your Committee expressed the view that it was unprofessional conduct to accept a negative retainer of this kind when it would in the normal course deprive a citizen of the right of being represented by a lawyer;

(d) advised a solicitor that it was improper to practise under the name of the estate of a deceased solicitor and improper to have on his letterhead the name of an employee who is not a barrister and solicitor;

(e) asked the Secretary to wrote solicitors advertising in a credit bulletin that they should discontinue references to a special department for collections or claims that they act for specified clients.

Moved by Mr. Wright, seconded by Mr. Fennell, that the Report be adopted.

The Treasurer announced that in view of the importance of the recommendations in the Report, it would be considered clause by clause.

PARAGRAPH (1)

Reference to the Treasurer for presentation to the Executive of the Conference of Governing Bodies of the Legal Profession in Canada.

Approved.

PARAGRAPH (2)

Publication of proposed Ruling in the Ontario Reports.

Approved.

PARAGRAPH (3)

Reference to Mr. O'Brien.

Approved.

PARAGRAPH (4)

Ruling 2 — Acting for both sides

Publication of proposed Ruling in the Ontario Reports.

Approved.

Ruling 9 — Disbarred Persons

New Ruling 9 approved and adopted.

Ruling 10 — Signs

Publication of proposed Ruling in the Ontario Reports.

Approved.

Ruling 12 — Letterheads

Publication of proposed Ruling in the Ontario Reports.

Approved.

Ruling 13 — Municipal Councils

Recommendation to change heading to "Conflict of Interest with Regard to Public and Other Offices".

Approved.

Ruling 16 — Advertising
Reference to Mr. Strauss.

Approved.

Ruling 21 — Trusts Accounts
Repeal of Ruling 21.

Approved.

Ruling 30 — Public Appearances by Solicitors
Reference to Mr. Keith.

Approved.

ADVICE TO SOLICITORS
Paragraphs (a) to (e) inclusive approved.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE — COMPENSATION FUND — 10 YEAR REPORT — Mr. O'Brien

(For the text of this report, see the statement of the Treasurer in the issue of Ontario Reports, March 12, 1965.)

Attached hereto as Schedule "C" to this Report is a summary of the Compensation Fund transactions for the year ending the 31st of December 1964. (See Treasurer's statement.)

The above report was approved and adopted at a meeting of the Discipline Committee attended by the Chairman and Messrs. Ford, Gray, Howland, Levinter and Wright on the 13th day of January, 1965.

SCHEDULE "A"
1st December, 1964.

COMPENSATION FUND
BONDING

A basic objection to compulsory bonding is that the Society has been charged with the responsibility of licensing qualified members to practise law in Ontario. To require each member to become bonded in order to practise would be to abdicate the licensing power to the bonding companies, since the bonding companies could for private and perhaps irrelevant or even improper reasons refuse to bond an otherwise qualified person. If the bonding companies covered only part of the profession the Society would have to cover those the bonding companies rejected and this would mean that the premium paid by the bonded members would not be available to the Society to cover the defalcations of the unbonded members and would limit the sources of revenue out of which grants could be made on behalf of unbonded members.

It has been suggested that bonding companies which would be inclined to issue bonds to some members and refuse to issue them to others might issue a blanket bond to cover a number of individuals since then the risk would be spread. This would seem to make bonding a possibility but the benefits are illusory. If the risk were spread as far as it would go it would include all members of the profession in Ontario and so the position then would be substantially what it was under the terms of the insurance the Society maintained in connection with the Compensation Fund. The insurance companies gave no better protection than $100,000 deductible policy with an upper limit of $400,000 per solicitor at a yearly premium of $8,957.03. The Fund's difficulties arose with respect to the $100,000 retention and this would not be obviated by any other system of bonding except one which would cost the members so much that a like amount of money put in the Compensation Fund would end financial anxiety.

In this connection the following are particulars of a Blanket Position Bond covering a law firm of eight partners, two associated lawyers, two students and thirty-seven other employees. The coverage is for $50,000 and the three year premium $1,054.89. To increase this Blanket Position to cover $100,000 on each employee and partner, a three year premium would be $1,701.75, or an increased annual cost of $215.62. $100,000 is the maximum amount written for Blanket Position Bonds which cover each position or person to the limit of the bond except where collusion with other employees is involved. Should a $200,000 coverage be desired a commercial Blanket Bond for three years would cost $2,255.30. The commercial Blanket Bond apparently limits the total loss to $200,000 in all, whereas a Blanket Position Bond covers each position or person to the limit of the bond.

The figures quoted came from a reputable law firm which was able to obtain coverage. The problems already indicated would arise in connection with new firms or members who could not be bonded at all.

There is another aspect of bonding which makes it undesirable and that is the rigidity of a bonding contract. This matter was discussed by a Special Committee on Bonding in 1939, and a memorandum prepared at that time contains the following statement:

> "No doubt it would be quite impossible that a solicitor, any more than any other person, could procure a bond in respect of all his transactions — personal as well as professional. This essential limitation upon the covering of a bond would undoubtedly lead to much dissatisfaction and disappointment. The bonding company will have the undoubted right to insist that it is liable only within the terms of the bond. There are certain to be cases where the injured party will think that he is unjustly deprived of a remedy that he thought was available to him. This is one aspect of the bonding of solicitors that illustrates that this is the wrong way to deal with the misconduct of individual members of any profession or class. It is impossible to put a whole profession under such bonds that no one can suffer from any misconduct, professional or otherwise, of any of its members, and a bond limited to strictly professional misconduct will afford wholly inadequate security in the case of the few members of the profession in respect of whose misconduct some remedy is desired."

The same considerations obtain today, and what seems to be the best solution has been found in the wide discretion and flexibility of the powers given the Benchers by the Law Society Act to administer the Compensation Fund. In this connection it should be emphasized that the limit on applications to the Compensation Fund which is now in force is subject to the overriding discretion of the Discipline Committee. For example, it would be open to the Committee to allow and make a grant in excess of the limit in circumstances which moved the Committee to exercise its discretion, and such circumstances can readily be imagined as where, for instance, a widow might claim $40,000, being the whole of an estate left her by her deceased husband, she having no other means of support in the world. That case has not arisen and is a purely invented set of facts.

SCHEDULE "B"

AUDITOR'S CERTIFICATE

(To be made by a Public Accountant)

TO: The Secretary
Law Society of Upper Canada,
Osgoode Hall,
Toronto 1, Ontario.

Dear Sir:

We have examined the books, records and accounts maintained in connection with the practice of ....
(name of member or firm)

as at ....
(month end date immediately preceding date of this certificate)

and certify as follows: In our opinion his or its records show that the member or firm has, during the twelve months preceding the date of this certificate (or since the beginning of practice, whichever period is shorter)

1. kept such books, records and accounts in connection with his or its practice as are necessary to show and distinguish
   (a) money received from or on behalf of and money paid to or on behalf of each of his or its clients; and the amount of money held in trust for each client;
   (b) money received and paid on his or its own behalf;
2. maintained a bank account or accounts at a chartered bank, trust company or loan company designated both in his or its books and in the records of the banker as a trust account or accounts;
3. each month maintained a record showing a monthly comparison of the total of balances held in the trust account (or accounts) and the total of all unexpended funds held in trust for clients as they appear from the books and records of the member or firm together with the reasons for any differences between the totals;
4. not allowed a client's trust account to be overdrawn;
5. maintained a list of all valuable property held in trust for each client.

The member:

☐ practises alone
☐ maintains his books and records in common with:

....
....
....
....

From the scope and nature of our examination we cannot certify that all transactions involving trust money have been recorded accurately or at all and accordingly we cannot certify that the member or firm has kept sufficient funds on deposit in his or its trust bank accounts to meet all his or its liabilities to clients for trust funds.

January 13th, 1965

Moved by Mr. O'Brien, seconded by Mr. Gray, that the Report be adopted, including the five specific recommendations made therein.

The motion was carried.

SURVEY OF SCOPE OF LEGAL PROFESSION

Moved by Mr. O'Brien, seconded by Mr. Pattillo that the Treasurer appoint a special committee to consider or arrange for a full scale survey of the legal profession to determine what its proper role is or ought to be.

The Treasurer appointed a Special Committee on The Scope of the Legal Profession consisting of Messrs. Howland (Chairman), Robins, W. S. Martin, Harris and Keith.

UNAUTHORIZED PRACTICE COMMITTEE — Mr. Seaman

Your Committee met on Friday, 15th January, 1965, the following members being present: Mr. R. L. Seaman (Chairman), and Messrs. Ball, Beament, Clement, Creighton, Fennell, Levinter, Martin, Raney, Slemin, Steele and Strauss.

LOUIS C. WIGGINS

The Law Society received a letter from a Toronto lawyer enclosing a notice from the Globe & Mail, published on May 28, 1964 under the Change of Name Act, wherein Louis C. Wiggins was described as "Solicitor for the Applicant".

A search of the proceedings in the County Court disclosed that in support of the application Louis C. Wiggins had filed an affidavit in which he swore that he caused to be published in the Ontario Gazette a notice of application, and that the said notice had been duly published and did appear in the Ontario Gazette. The notice which appeared in the Ontario Gazette was the same as that which had been published in the Globe & Mail.

The Society's Counsel, on the instructions of the Committee, laid an Information against Wiggins for holding himself out as or representing himself to be a solicitor, contrary to The Solicitors Act.

The case came up for trial on November 25th, 1964, and at its conclusion Wiggins was found guilty.

SUB-COMMITTEE ON TRUST COMPANIES

(see Treasurer's statement)

Your Committee recommends the adoption of the Statement of Policy submitted by the Trust Companies Association.

UNAUTHORIZED PRACTICE GENERAL

The Committee referred three matters to counsel for consideration, and in four other matters requested the Secretary to obtain further information and report back to the Committee.

Moved by Mr. Seaman, seconded by Mr. Fennell, that the Report, except the paragraph headed — "TRUST COMPANIES — Proposed Statement of Policy" — be received.

Carried.

TRUST COMPANIES — Proposed Statement of Policy

Moved by Mr. Seaman, seconded by Mr. Ford, that in the light of the proposals of the Trust Companies Association to its members, they be accepted, and that the Law Society inform its members of the last paragraph of the proposals.

Carried.

COUNTY LIBRARIES COMMITTEE — Mr. Fennell

The COUNTY LIBRARIES COMMITTEE begs leave to report:

Your Committee met on the 15th January 1964, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, W. S. Martin, Raney, Seaman, Slemin, Steele and Strauss.

COMMITTEE MEMBERSHIP

Your Committee recommends that Mr. McCulloch be added to the Committee.

The Report, including the recommendation that Mr. H. G. McCulloch be added to the Committee, was adopted.

LEGAL AID COMMITTEE — Mr. Steele

Your Committee met on Thursday, the 14th January 1965, the following members being present: Messrs. Levinter (Chairman), Pattillo, Steele and Strauss.

LEGAL AID GENERALLY

Your Committee considered several matters which had been referred to it, including a request for an appeal in a criminal case, and made recommendations thereon.

THE REPORT WAS ADOPTED

Legal Aid — Statement of The Law Society of Upper Canada to the Joint Committee on Legal Aid.

The Treasurer presented a statement of the position of the Society (see Treasurer's statement, referred to supra).

The Treasurer explained why the statement was presented to the Joint Committee without the previous approval of Convocation; there was urgency in the matter and the Treasurer had had the benefit of reading all briefs and submissions and of a one day meeting with the County and District Directors of Legal Aid.

It was pointed out that there had been considerable favourable comment in news and editorial statements, and on the radio.

Moved by Mr. Maloney, seconded by Mr. G. A. Martin, that Convocation approve of and confirm the action of the Treasurer in presenting the statement to the Joint Committee.

Carried.

CONTINUING EDUCATION COMMITTEE — Mr. Gray

Your Committee met on Thursday, the 14th day of January, 1965, the following members being present: Messrs. Robins (Chairman), Gray (Vice-Chairman), Howland, O'Brien and Slemin.

CONTINUING EDUCATION LECTURES 1965

In its Report of 19th November 1964 the Committee recommended that the subject — "The Lease in Modern Business" be approved, and that the lecture headings and the selection of the lecturers be referred to the Chairman to arrange in consultation with any member of the Committee:

The following is the programme as arranged to date:

1965	THE LEASE IN MODERN BUSINESS	
Date	*Subject*	*Lecturer*
Friday, March 12th		
9:15-9:30 a.m.	Introduction	
9:30-10:30 a.m.	The Relationship of Landlord and Tenant	R. E. Scane, Barrister
10:30-11:00 a.m.	Agreements to Lease	D. H. L. Lamont, Q.C.
11:15-11:45 a.m.	The Covenant for Quiet Enjoyment	H. D. Guthrie, Barrister
11:45-12:30 p.m.	Fixtures and Improvements, including rights of Chattel Mortgages and Conditional Vendors.	D. L. Campbell, Q.C.
2:00-3:00 p.m.	Obligations to Repair of Landlord and Tenant, including Fire Clauses	David Vanek, Q.C.
3:00-3:45 p.m.	Assignments and Sub-Leases	C. F. Scott, Barrister
4:00-4:30 p.m.	Options to Renew and Purchase	K. J. C. Dean, Barrister
Saturday, March 13th		
9:30-10:30 a.m.	Remedies for the Recovery of Rent	W. Z. Estey, Q.C.
10:30-11:30 a.m.	Remedies for Breach of Covenant (other than non-payment of rent)	S. G. M. Grange, Q.C.
11:45-12:45 p.m.	Bankruptcy of the Landlord or Tenant	L. W. Houlden, Q.C.
	BUFFET LUNCHEON	
Friday, March 19th		
9:30-10:30 a.m.	Expropriation of Premises	R. B. Robinson, Barrister

10:30-11:30 a.m.	Leases of Vehicles, Chattels, Machinery and Equipment	W. J. Anderson, Q.C.
11:45-12:45 p.m.	Shopping Centre Leases	Donald Carr, Q.C.

2:00-2:45 p.m.	Liability in Tort of Landlords and Tenants	R. J. Gray, Barrister
2:45-3:45 p.m.	Insurance	L.R. Freeman, Q.C.
4:00-4:45 p.m.	Taxation Aspects of Leases	C. W. Lewis, Barrister

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Saturday, March 20th

9:30-10:30 a.m.	Sale and Leaseback Transactions	J. T. Johnson, Q.C.
10:30-11:30 a.m.	The Financing of Leaseholds	H. D. Roberts, Q.C.
11:45-12:45 p.m.	Future Developments in Leases	Paul H. Folwell, Attorney, Milbank, Tweed, Hadley & McCloy, New York, N.Y.

BUFFET LUNCHEON

NOTICE TO THE PROFESSION

Your Committee recommends that a notice to the profession be given in the earliest possible number of the Ontario Reports.

GUESTS

In its Report of 19th November 1964 your Committee recommended that a limited number of members of real estate associations be permitted to register for the course.

Your Committee recommends that it invite 50 members of the Ontario Association of Real Estate Boards to register at the regular fee of $15.00.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON LEGISLATION

Mr. R. F. Wilson, for the Special Committee, presented a draft of a new "The Law Society Act 1965" incorporating amendments already approved by Convocation, including the recommendation with reference to election of Benchers.

Moved by Mr. Gray, seconded by Mr. Steele, that copies of the new draft Act be sent to all Benchers, and that consideration stand to the meeting of Convocation on February 19th next.

Carried.

ROYAL COMMISSION INQUIRING INTO CIVIL RIGHTS

Re: Police Officers Prosecuting in Magistrates' Courts.

The Commission had received a submission to the effect that police officers should not prosecute cases in Magistrates' Courts. The Commissioner asked for the views of The Law Society on this practice. The Treasurer appointed a special committee consisting of Messrs. G. A. Martin and A. E. Maloney, and requested that they present a recommendation to Convocation on January 15th.

Mr. G. A. Martin presented the Report of the Special Committee:

January 11th, 1965.

Report of The Special Committee appointed by The Treasurer to consider questions arising out of a letter, dated December 10th, 1964, received by The Law Society from J. W. Morden, Counsel to The Royal Commission Inquiry into Civil Rights.

Mr. Morden in his letter states:

> "The Commission has received a submission to the effect that Police Officers should not prosecute cases in the Magistrates' Courts. The Commission has asked me to ascertain from you what The Law Society's position is on this practice."

Your Committee communicated with Mr. Morden with a view to ascertaining the basis of the submissions made to the Commission. Mr. Morden by letter dated January 5th, 1965, replied as follows:

> "Pursuant to your telephone request I set forth hereunder those portions of the brief filed by The Toronto Peace

Center which deal with the prosecution of cases by police offices in Magistrates' Court:

> 'One of the problems seems to be that despite Mr. Bick's numerous speeches saying that the public must understand that the police and the courts are separate and distinct the Police Department still assigns policemen to act as prosecutors in Magistrates' Court. One cannot expect a policeman acting as a prosecutor to be interested in objective ascertainment of the facts.
>
> '2. That under no circumstances should a member of the police force act as prosecutor in a Magistrates' Court.' "

Your Committee conceives that two questions are raised by the matter which has been referred to it:

1. Whether the conduct of the prosecution of offences in Magistrates' Court by police officers infringes the prohibition contained in s. 6 of The Solicitors' Act R.SO. ch. 368 which provides:—

> "6 (1) Unless admitted and enrolled and duly qualified to act as a solicitor, no person shall act as a solicitor in any court of civil or criminal jurisdiction or before any justice of the peace — or hold himself out as or represent himself to be a solicitor, or practice as a solicitor, or for gain or reward act as a solicitor."

2. Whether, assuming that no breach of the Solicitors' Act is involved, that it is against the public interest for a police officer to conduct prosecutions in Magistrates' court.

Magistrates in addition to possessing jurisdiction to try offences punishable on summary convictions have absolute jurisdiction to try certain indictable offences without the consent of the accused and jurisdiction to try all but the graver indictable offences with the consent of the accused.

We have no knowledge of police officers conducting the prosecution of indictable offences in Magistrates' Courts and would not consider it proper for them to do so. In our experience the offences in which police officers conduct the prosecution are limited to summary conviction offences, and for the most part their use in that role is confined to prosecutions under The Highway Traffic Act and prosecutions under Federal Statutes for failure to file returns and in offences of like nature.

With respect to the first question arising in Mr. Morden's letter we are of the opinion that the conduct of prosecutions by police officers of summary conviction matters does not infringe the provisions of s. 6 of The Solicitors' Act.

S. 709(1) of The Criminal Code provides:—

(1) The prosecutor is entitled to personally conduct his case.

(2) The prosecutor, or defendant, as the case may be, may examine and cross-examine witnesses personally or by counsel or agent.

By s. 692 (e) of The Criminal Code "Prosecutor" is defined for the purpose of part XXIV of the Code, the part dealing with summary convictions, as meaning "an informant or the Attorney-General or their respective Counsel or agents."

Section 3 of The Ontario Summary Convictions Act R.S.O. 1960, ch. 985, incorporates, except where inconsistent with that Act, Part XXIV of The Criminal Code.

Sections 709 and 692, are, therefore, applicable to prosecutions under Ontario Statutes.

In *Reg v. Woods* [1962] O.W.N. 27, the conviction of the accused, who made a practice of representing persons charged in the Magistrates' Court, on a charge of holding himself out as a solicitor when not qualified as such was affirmed on appeal to the County Court. In that case the accused had conducted the defence of a person charged with an indictable offence tried summarily before the Magistrate as well as with a summary conviction offence and had generally conducted himself in such a way as to convey the impression that he was a solicitor.

In the course of his Judgment Miller, County Court Judge said at page 28:—

> "I would not have anything I have said taken as indicating that a layman may with impunity make a practice of appearing on behalf of accused persons even in summary conviction cases."

We agree that s. 709(2) which permits the prosecutor and the defendant either personally or by agent to examine and cross examine witnesses is not in conflict with s. 6 of The Solicitors' Act and that a person purporting to act as an agent who is in fact acting as a Solicitor is within the prohibition contained in s. 6. We do not, however, regard a police officer, even one who makes a practice of conducting prosecutions in summary conviction offences as a part of his official duties, as falling within that category.

In Cross and Jones, An Introduction to Criminal Law, 4th Edition, the following statement is made with respect to the English practice:—

> "The normal procedure is for the Commissioner or Chief Constable to instruct Solicitors and Counsel to appear for the prosecution although small summary cases are habitually conducted by a police officer." (at p. 11.)

With respect to the second question arising out of Mr. Morden's letter, namely, whether the practice referred to is against the public interest we are not aware of any abuse to which the practice has led.

It may be suggested that a police officer might be inclined to be less than impartial in giving his evidence in the presence of a senior police official. Our experience has been that this has not occurred in practice and that a police witness who is inclined to colour his evidence would be equally inclined to do so if the case were being conducted by a Crown Attorney.

There does remain one possible further objection, namely, that the practice may create a feeling on the part of the citizen that the prosecution is not being conducted objectively. We have no way of ascertaining whether this is so without conducting an appropriate survey of public opinion. In the Metropolitan area the officer conducting the prosecution is frequently not in uniform and our joint experience has not caused us to have any feeling that such prosecutions are unfairly conducted.

Nevertheless it is of the utmost importance not only that Justice be done but manifestly appear to be done.

R. M. Jackson in his well known work, entitled "The Machinery of Justice in England," makes the following statement: —

> "Above all it is hard for members of a police force to have that detachment that the lawyer cultivates with such care. Hence it is not surprising that police advocacy has been strongly criticized; Judges have condemned the method and the Legal Profession does not conceal its dislike of the practice."

(Jackson The Machinery of Justice in
England, 3rd Edition, pp. 117-8)

The Learned author suggests that when a case is presented by a Police Officer all advocacy should be avoided and the officer should confine himself to asking the necessary questions of witnesses to elicit the facts. With this view we are in agreement. "G. A. Martin"

Moved by Mr. G. A. Martin, seconded by Mr. Maloney, that the Report be adopted.

Carried.

Moved by Mr. Steele, seconded by Mr. O'Brien that the Secretary be authorized to send a copy of the Report to the Royal Commission.

Carried.

PRESENTATION

Mr. S. F. M. Wotherspoon, Q.C. of Ottawa, a great grandson of the late F. W. Cumberland, has presented to the Society an enlarged photograph of an original sketch of Osgoode Hall by the artist, F. W. Cumberland.

ORDERED that the photograph be accepted with appreciation, and referred to the Committee on Muniments and Memorabilia.

CORRESPONDENCE

The Treasurer read the following correspondence:

Letter from Mr. Stewart S. MacInnes, Q.C., Vice-President for Ontario of the Canadian Bar Association, with reference to the luncheon on Saturday, February 6th, at the Mid-Winter meeting of the Ontario Section.

The Secretary was authorized to make the usual arrangements for the luncheon given by The Law Society, and for the reception previous thereto; the luncheon to be followed by the address of the Treasurer to the members.

NOTICE OF MOTION

Mr. Keith gave notice that at the next meeting of Convocation he would move a resolution concerning the appointment of Queen's Counsel.

SPECIAL COMMITTEE

Moved by Mr. R. F. Wilson, seconded by Mr. Pattillo, that the Treasurer appoint a special committee to consider and report on what action, if any, should be taken by Convocation as a result of Mr. Justice Landreville's decision to sit as a Judge of the Supreme Court of Ontario.

Carried.

The Treasurer appointed a Special Committee consisting of Messrs. Pattillo (Chairman), R. F. Wilson, Fennell, Beament and Gray.

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 19TH FEBRUARY 1965

10:30 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Chitty, Clement, Common, Fennell, Ford, Gray, Gregory, Howland, Jamieson, Keith, Maloney, McCulloch, O'Brien, Pattillo, Raney, Robins, Roebuck, Seaman, Sheard, Slemin, Starr, Steele, Strauss, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 15th January 1965 were read and confirmed.

BENCHERS

The Treasurer welcomed to Convocation Mr. Russell Nelles Starr, Q.C., who was elected a Bencher on the 15th January 1965.

ELECTION OF BENCHER

Mr. Herbert Maxwell Bruce, Q.C. was elected a bencher to fill the vacancy due to the fact that Mr. S. E. Weir, Q.C. had become a bencher ex officio.

COMMITTEES

Mr. H. M. Bruce, Q.C. was appointed to the following Committees: Finance, Discipline and Library.

UNFINISHED BUSINESS

The Law Society Amendment Act 1965

The Treasurer referred to the draft of a new "The Law Society Act 1965" which was presented to Convocation on the 15th January 1965 when it was directed that copies of the new draft Act be sent to all Benchers and that consideration stand to the Meeting of Convocation on this date.

The Treasurer reported that several Benchers had suggested that The Law Society Act should not be completely revised without a corresponding revision of The Barristers Act and The Solicitors Act. A new draft of The Law Society Amendment Act 1965 was presented dealing only with urgent matters.

Moved by Mr. Robins, seconded by Mr. Howland, that the Chairman of the Special Committee, Mr. R. F. Wilson, Q.C., and such other Benchers as may be designated by the Treasurer, present the proposed amendment of The Law Society Act to the Attorney General.

Carried.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 18th February, 1965, at 3:30 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman and Mr. A. S. Pattillo.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

Transfer from Another Province

The following candidate, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now applies for call to the Bar and to be granted a Certificate of Fitness:

Richard Ernest Parr — Manitoba and Alberta

Approved.

Your Committee considered applications from a United Kingdom solicitor, and from two applicants under Commonwealth Transfer and made recommendations thereon.

EMPLOYEES OF NATIONAL CORPORATIONS — LIMITED PRACTICE

Correspondence between the Treasurer and the Chairman is before the Committee concerning the question whether some form of limited right to practise might be created to assist full-time employees of national corporations who are members of another common law Bar in Canada but who cannot qualify under the present Regulations by reason of their having been transferred to an Ontario office of their employer before completing three years of practice at their home Bar. The matters was before the Committee on the 14th January, 1965, but was allowed to stand over for consideration at this meeting. In the meantime the relevant material has been circulated to all members of the Committee.

Your Committee recommends that no change be made in the existing Regulations.

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidate was presented to the Treasurer and Convocation, was called to the Bar, and the degree of Barrister-at-law was conferred upon him:

Richard Ernest Parr — Transfer — Alberta.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 18th February, 1965, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Keith, Pattillo, Seaman, Sheard and Starr.

BAR ADMISSION COURSE

FACULTY

Mr. Brendan O'Brien, Q.C., and Mr. John A. Mullin, Q.C., resigned as heads of the Civil Procedure II and Company Law Sections of the Course respectively, and your Committee approved the Director's recommendation that Mr. Donald Keith, Q.C., be appointed head of the Civil Procedure Section II and Mr. D. A. Berlis, Q.C., be appointed head of the Company Law Section.

OSGOODE HALL LAW SCHOOL

STUDENT LOAN FUND

The Osgoode Hall Law School Loan Committee met on the 12th February, 1965, and recommended that loans be made to two students.

Approved.

LAW SOCIETY SCHOLARSHIPS FOR POST-GRADUATE STUDY

Applications for a Law Society Scholarship for Post-Graduate Study have been received from five students.

Your Committee recommended that the matter be referred to a Sub-Committee with power to act, to be appointed by the Chairman.

The Chairman appointed the following Sub-Committee: Messrs. Robins, Chairman, Pattillo and Sheard.

LAW SCHOOL PRIZES

The donor of the Insurance Company of North America Prize informed the Dean that the Company's General Manager and Resident Vice-President in Canada, Mr. H. C. Mills, had died on the 23rd January, 1965. The Company asked that the name of the prize be changed to "Insurance Company of North America Prize in Insurance Law — H. C. Mills Memorial Award", and your Committee approved.

ANNUAL REPORT

The Annual Report of the Dean was presented. Your Committee recommended that the Dean's report and the Report of the Director of the Bar Admission Course be circulated to all members of Convocation.

APPROVAL OF FOREIGN DEGREES AND COURSES

The degree of D. Juris, University of Palermo, Italy, was approved for the purpose of admitting the holders of it to enter the first year of the Osgoode Hall Law School under Regulation 4.

The degree of Bachelor of Arts, Colgate University in Hamilton, New York, Brown University in Providence, Rhode Island and New York State University in Oswego, New York, was approved for the purpose of admitting the holders of it to enter the first year of the Osgoode Hall Law School under Regulation 4.

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

Associate Professor Graham E. Parker received his LL.B. degree from the University of Adelaide, Australia, his LL.M. degree from Columbia University, taught two years Faculty of Law, University of British Columbia, and presently is on the Faculty of Law, Vanderbilt University, Nashville, Tennessee. Professor Parker's areas of special interest are Criminal Law, Criminology and related subjects. The Dean recommended his appointment to the full-time staff at Osgoode Hall as Associate Professor, effective July 1, 1965, and your Committee approved.

Part-time Teaching Staff
Special Lecturers

The Dean recommended the re-appointment of the following Special Lecturers as of July 1, 1965, for one year and your Committee approved:

Harold Purdy Crawford	42	hours	Income Tax
	36	”	Accounting (shared)
Leslie Robert Freeman, Q.C.	30	”	Insurance Law
Kenneth Herbert Cridge Laundy, C.A.	36	”	Accounting (shared)
John James Mahoney	30	”	Admiralty Law
Richard Elias Shibley, Q.C.	72	”	Civil Procedure
John Graham McDonald, Q.C.	30	”	Seminar in Advanced Taxation

Because a replacement for Professor Feltham in the Commercial Law subjects has not been appointed and further because a Visiting Professor for 1965-66 has not been appointed, it is uncertain how many of the remaining special lecturers of the 1964-65 annual session will be required. Your Committee approved the Dean's recommendation that the matter of their appointment stand and be left to the Chairman and the Vice-Chairman of the Legal Education Committee, and the Dean.

Associates in Criminal Law

Your Committee approved the Dean's recommendation that E. Patrick Hartt, Q.C., and B. Barry Swadron be re-appointed Associates in Criminal Law for one year from July 1, 1965, on the same terms and conditions.

Associate in Local Government Law

Your Committee approved the Dean's recommendation that William R. Callow, Q.C., be appointed Associate in Local Government Law for one year from July 1, 1965, and that he be paid the usual rate for every lecture delivered in 1965-66.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 17th February 1965, the following members being present: Messrs. Gregory (Chairman), Sheard, (Vice-Chairman), Harris, Howland, Keith, Slemin and Steele.

Financial Statement, 1st July 1964 to 31st January 1965.

Approved.

Rolls and Records

The Secretary reports —

(1) *Deaths* —

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

W. A. Goetz, Mitchell (Honorary Life Member)	Called — 25th May 1912 Deceased — 5th January 1965
John Cowan, Q.C., Sarnia (Honorary Life Member)	Called — 17th September 1912 Deceased — 8th January 1965
J. J. Riordon, Q.C., Windsor	Called — 19th September 1929 Deceased — 13th January 1965
Ben Altman, Toronto	Called — 18th November 1926 Deceased — 17th January 1965
W. K. Garbutt, Toronto	Called — 29th June 1948 Deceased — 19th January 1965
A. A. Moffat, Q.C., Winnipeg	Called — (Ontario) 24th September 1952 Deceased — 20th May 1964
T. H. Stinson, Q.C., Lindsay (Honorary Life Member)	Called — 19th May 1910 Deceased — 29th January 1965
F. A. A. Bunt, Dunnville	Called — 20th September 1957 Deceased — 11th February 1965

(2) *Disbarments*

That the following former members of the Law Society have been disbarred and struck off the rolls, and their names have been removed from the rolls and records of the Law Society:

G. C. Hewson, Georgetown	Called — 19th June 1952 Disbarred — 15th January 1965
Henry Koury, Toronto	Called — 14th September 1951 Disbarred — 15th January 1965.

Noted.

LAW SOCIETY FEES — *Compensation Fund Levy*
— *Post-Graduate Students*

Members of the Law Society who are engaged in post-graduate work ask for some consideration as to the payment of fees and Compensation Fund levy.

Your Committee recommends that these members be permitted to pay their Law Society fees, and defer payment of the Compensation Fund levy until their return to practice; on condition, however, that they give an undertaking that they are not engaged and will not engage in any practice during their course of study.

SUB-COMMITTEE ON INSURANCE

The Sub-Committee has recently reviewed the entire fire insurance coverage and a few other policies, and has made certain recommendations.

7. *Law Society's Agents*

The Sub-Committee recommends that Cronyn, Pocock and Robinson Limited be appointed the Insurance Agents of the Society from 31st August 1964.

Your Committee recommends approval and adoption of the Report of the Sub-Committee on Insurance, and wishes to record its appreciation of the valuable services rendered by Messrs. Levinter, Gray and Keith.

PORTRAITS

At a meeting on the 15th January 1964 the Finance Committee approved of an offer by Mr. Eduard Zukowski, the Society's consultant for several years, to supervise all the portraits owned by the Society on a yearly basis. The work performed quarterly would consist of dusting, removing surface bloom, adjusting the stretchers, and small repairs to frames.

Mr. Zukowski presents a report on his work for the calendar year 1964.

Approved.

CANADIAN BAR ASSOCIATION, ANNUAL MEETING, TORONTO, August 30 — September 4, 1965

The Committee in charge asks the Law Society of Upper Canada for its support in providing the reception to be held at the Royal York Hotel prior to the Annual Banquet, on Friday, September 3rd, at an estimated cost of $2,000.00.

Your Committee recommends that the request be granted.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Feb. 4th—International Law Association, Toronto Section — Dinner Meeting, Convocation Hall.

Feb. 12th—First Year Class party — Convocation Hall.

Feb. 19th—Phi Delta Phi Fraternity — Annual Formal — Convocation Hall.

Feb. 24th—The Thomas More Guild — Dinner Meeting — Convocation Hall and Club Room.

Mch. 13th—Phi Delta Phi Legal Fraternity — Initiation and Dinner — Convocation Hall and Barristers' Lounge.

Mch. 23rd—Osgoode Hall Athletics Association — Annual Athletic Banquet — Convocation Hall.

Mch. 25th—The Lawyers Club — Dinner Meeting — Convocation Hall and Barristers' Lounge.

Apr. 1st—The Reading Club — Dinner meeting — Convocation Hall.

Apr. 27th—John Howard Society — Annual Meeting and Dinner — Convocation Hall and Club Rooms.

Noted.

Conditions for Holding Legal Meetings and Entertainments

Evening functions at Osgoode Hall have increased greatly in recent years. Dinners and dances particularly impose a great deal of extra duties on the part of the maintenance staff. There seems to be some doubt, however, amongst the various groups using the facilities as to who should pay for the overtime services of the maintenance staff.

The Committee recommends the adoption of the following policy:

1. For committee and other meetings without dinner or other social functions — No charge.
2. For dinners, dances, receptions, &c —
   - (a) Mr. Glen, the Superintendent, to be paid $2.75 per hour for overtime, and members of his staff $2.50 per hour, to be paid by the organization using the Hall.
   - (b) Bar profits from such functions are not to be used for paying the staff.
   - (c) Beginning 1st September 1965, a service charge of $25.00.

General Maintenance

Mr. Arthur Heeney Jr. presented a letter, 15th February 1965, setting out requirements for general maintenance for the year 1965. His recommendations include exterior painting, interior wall washing and painting, furniture repairs, hardware repairs, electrical work.

Your Committee approved some of the items in principle, subject to an estimate of cost, and authorized other items on Mr. Heeney's estimates.

Mr. Heeney says that Mr. Glen and his staff are to be commended for the excellent housekeeping job being done, as well as general upkeep. At the present time they are working under great difficulties due to construction in the neighborhood.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE

Mr. O'Brien, Chairman, presented the following Report:

Re Robert Anderson Downing

The Committee reported that after due inquiry it found the solicitor had been guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he —

1. contrary to Rule 1 of the Rules Respecting Accounts, having received money in trust for clients has failed to pay such money forthwith into a trust account as required by that Rule;
2. contrary to Rule 3 of the Rules Respecting Accounts, has drawn money from his trust account other than money

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properly required for payment to or on behalf of clients or in respect of liabilities of clients to him;

3. contrary to Rule 6 of the Rules Respecting Accounts, has failed to maintain sufficient balances on deposit in his trust account to meet all obligations with respect to funds held in trust for clients as required by that Rule;
4. contrary to Rules 7 and 8 of the Rules Respecting Accounts, has failed to maintain proper books of account as required by those Rules;

and recommends that his name be struck off the rolls of The Law Society of Upper Canada.

Moved by Mr. O'Brien, seconded by Mr. Wright, that the Report be adopted.

The solicitor appeared with his counsel, Mr. Gordon S. Macdonald, Q.C., and both addressed Convocation.

The motion was carried.

It was accordingly ordered

1. THAT the Report of the Discipline Committee in the matter of ROBERT ANDERSON DOWNING, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said ROBERT ANDERSON DOWNING guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said ROBERT ANDERSON DOWNING be disbarred.
4. THAT the said ROBERT ANDERSON DOWNING is unworthy to practise as a Solicitor.

ORDERS

The Secretary placed before Convocation the following Orders which are entered on the Minutes of Convocation:

Re: George Carruthers Hewson— Orders striking
Re: Henry Koury — off the Rolls.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 19th day of February, 1965, the following members being present: Mr. R. L. Seaman (Chairman), and Messrs. Ball, Beament, Clement, Fennell, Ford, Raney, Slemin, Steele and Strauss.

Your Committee considered several complaints of unauthorized practice and made recommendations thereon.

THE REPORT WAS ADOPTED.

CONVOCATION ADJOURNED at 12:50 p.m.

CONVOCATION RESUMED at 2:15 p.m., a quorum being present.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Thursday, the 11th February, 1965, at 2:30 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien and Strauss.

UNCONSCIONABLE TRANSACTIONS — PROPOSED RULING

The Committee had before it the report of the Discipline Committee which Convocation had adopted on the 15th January, 1965, recommending the new monetary limits for the Compensation Fund and laying down the principle that subject always to the general discretion of the Committee and in accordance with well recognized principles of public policy, the Fund will not be available to satisfy claims which have their origin in transactions tainted with illegality as where calculated to evade payment of income tax or where the transaction if completed would have offended the Unconscionable Transaction Relief Act, or would otherwise have been illegal. Your Committee had postponed consideration of a suggestion by Mr. Brendan O'Brien, Q.C., that the Professional Conduct Handbook contain a Ruling making it improper for a member to act in connection with the creation of an unconscionable transaction. Your Committee has now referred the matter to

Mr. O'Brien to draft a proposed Ruling for your Committee's consideration with the intention that it be brought as a recommendation to Convocation.

FAILURE TO MEET FINANCIAL OBLIGATIONS — PROPOSED RULING

At its meeting on the 7th January, 1965, your Committee referred to Mr. Brendan O'Brien, Q.C., the drafting of a Ruling respecting members failing to pay their income tax or failing generally to meet their financial obligations. After consideration of Mr. O'Brien's draft your Committee recommends that the following proposed Ruling be published in a forthcoming part of the Ontario Reports with an invitation to the members to comment upon it and that it should thereafter be considered by Convocation:

> "To maintain the honour of the Bar members have a professional duty (quite apart from any legal liability) to meet financial obligations in relation to their practice such as debts incurred to Sheriffs, Special Examiners, Registrars of Deeds and other public officials; agency accounts and obligations to members of the profession.
>
> When a member incurs an obligation on behalf of a client which he is not prepared to pay personally he shall make his position clear in writing at the time the obligation is incurred."

RULING 23 — LEGAL WRITING

The Committee considered a trade publication containing the photograph of a member together with a description of him as having considerable experience in a particular branch of law, mentioning two books that he has written on the subject and naming the firm with which he is associated. The matter was referred to the Discipline Committee.

RULING 12 — LETTERHEADS

Your Committee has written to firms which have in their firm names the name of a former member of the Society who is now serving as a Judge, drawing to the firms' attention the provisions of Ruling 12.

Most of the firms written to have written to say they will comply with the Ruling. Several have objected to the effect of the Ruling and one firm has asked to be represented before the Committee for the purpose of challenging the legal validity of the Ruling as applied to the firm name on its letterhead.

Your Committee further wishes to report that it has advised a solicitor that when he is on permanent retainer to a collection agency it is not entitled to taxed costs and that it would be unprofessional for him to engage in an arrangement whereby the client, a licensed collection agency, would retain the member's services at a stated monthly fee, the member to be paid in addition counsel fees awarded in defended actions but no fee in undefended action where default judgments are obtained.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 17th February 1965, the following members being present: Messrs. Steele (Chairman), Cassels, Common, Harris, Keith, Slemin and Strauss.

McLaughlin Diary

Mr. Hugh J. McLaughlin has presented to the Society a copy of the diary of his father, R. J. McLaughlin, K.C., covering the first year of his articles, 1884. Your Committee has directed that a letter be sent to Mr. McLaughlin gratefully acknowledging this gift.

Missing Books

Your Committee reports that fifteen text-books, most of which cannot be replaced, disappeared from the library in the year 1964 and that forty text-books taken out in previous years were returned during the year. Your Committee recommends that a notice be inserted in the Ontario Reports listing the books taken contrary to the Rules in 1964 and appealing to the members of the profession to return any library books which may be in their possession.

Library Staff

Your Committee reports that Mr. Ronald E. Kaiser has been engaged as a library assistant from the first day of February 1965.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE—Mr. Ford

Your Committee met on Wednesday, the 17th February 1965, the following members being present: Messrs. Ford (Chairman), Harris, Keith, O'Brien, Strauss and Wright.

ONTARIO REPORTS — *Sufficiency of the present form of Reports.*

The Chairman reported on a few complaints which he had received about cases, particularly in the Court of Appeal, which had not been reported.

Your Committee recommended that no action be taken, except that the Chairman be authorized to confer with any barristers or judges who may make complaints, and ask for their views in writing with reference to the specific cases concerned.

ONTARIO REPORTS — *Costs*

Your Committee noted a letter of January 25, 1965 from the Canada Law Book Company Limited reporting on increases in cost due to increased cost of labour and paper. The increase will be from $13.63 to $15.47 per page for material picked up from D.L.R., and from $17.78 to $19.84 per page for all new set material.

Your Committee also considered a memorandum covering the costs of Ontario Reports from 1st January 1956 to 31st December 1964, and particularly for the period of the new contract which came into effect 1st January 1961. Your Committee noted that this Contract expires 31st December 1965 and is renewable.

Your Committee recommended that the Chairman be authorized to confer with Canada Law Book Company Limited as to their views on the renewal of the Contract, and on what terms, and to report back to the next meeting.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 19th February 1965, the following members being present: Messrs. Ball (Chairman), Fennell

(Vice-Chairman), Beament, Clement, Raney, Seaman, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following county and district associations, having failed to file their annual returns before the 31st January 1965, have now filed their returns and otherwise complied with the Rules adopted from time to time relating to county and district law libraries and recommends that grants be made to them as follows:

Bruce	$ 626.67
Dufferin	600.00
Grey	900.00
Hamilton	1,850.00
Kent	1,275.00
Lindsay	683.34
Middlesex	1,850.00
Perth	1,025.00
Welland	1,850.00
York	2,500.00

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON THE SCOPE OF THE LEGAL PROFESSION

Mr. Howland, Chairman, presented the Report of the Special Committee on the Scope of the Legal Profession:

Your Committee met on Wednesday, the 17th February 1965, the following members being present: Messrs. Howland (Chairman), Harris and Keith.

At the meeting of Convocation on the 15th January 1965 Mr. O'Brien presented a Report of the Discipline Committee on "Compensation Fund — Ten Year Report". It was resolved that the Report be adopted, including the five specific recommendations made therein. In the second last paragraph of the Report the Committee said:

> ". . . the time is opportune for a full scale survey of the legal profession in Ontario to determine what its role is or ought to be."

It was resolved that the Treasurer appoint a special committee to consider or arrange for a full scale survey of the legal profession to determine what its proper role is or ought to be.

The Treasurer appointed a Special Committee on the Scope of the Legal Profession, consisting of Messrs. Howland (Chairman), Robins, W. S. Martin, Harris and Keith.

Your Committee referred to the conditions which led to its appointment and considered its terms of reference. After a general discussion the Committee recommended that information be obtained on the following matters:

1. Who are the solicitors registered under The Mortgage Brokers Act, and to what extent are they engaged in business as mortgage brokers.
2. The number of solicitors practising alone.
3. Inquiries of other jurisdictions, particularly the other provinces of Canada and the Law Society of England, as to any controls on the practice of solicitors in the areas under consideration.

THE REPORT WAS ADOPTED.

MOTION

Mr. Keith, having given notice of motion, moved, seconded by Mr. O'Brien, that the practice and procedure for the appointment of Queen's Counsel in the Province of Ontario is unsatisfactory, causing an honourable distinction to be brought into disrepute and contempt, and that the Treasurer be authorized to appoint a special committee to consult with the Attorney-General for Ontario with a view to introducing a procedure which would ensure that the appointment of Queen's Counsel would be such as to enhance the honour of the Bar.

The motion was carried.

The Treasurer appointed a Special Committee on Appointment of Queen's Counsel, consisting of Messrs. Fennell (Chairman), Beament, Ford, Keith and R. F. Wilson.

CORRESPONDENCE

The Treasurer read a letter of January 12, 1965 from the Honourable Guy Favreau, P.C., Q.C., thanking the Treasurer and Benchers for entertaining him on the occasion of the opening of Her Majesty's Court, January 11, 1965.

TARIFFS

Mr. Ball reminded Convocation that the Surrogate Court Tariff had not been increased for many years, although there had been some increases in other tariffs and also increases in Law Society fees, etc. He also pointed out that although the jurisdiction of the County Courts had been increased, there had been no corresponding increase in County Court Tariffs.

Moved by Mr. Ball, seconded by Mr. Maloney, that the Treasurer appoint a Special Committee on Surrogate Court Tariffs, and a Special Committee on Supreme and County Court Tariffs, to consider these matters and report back.

Moved in amendment by Mr. Ford, seconded by Mr. Howland, that the matters raised by the above motion be referred to the Civil Justice Section of the Canadian Bar Association.

The amendment was lost. The motion was carried.

The Treasurer appointed a Special Committee on Surrogate Court Tariffs, consisting of Messrs. Creighton (Chairman), Ball, W. S. Martin, Raney and Sheard; and a Special Committee on Supreme and County Court Tariffs consisting of Messrs. Steele (Chairman), Gray, Robins, Starr and Williston.

CONVOCATION THEN ROSE

J. D. Arnup
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 26TH MARCH 1965
10:30 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Bruce, Chitty, Common, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Jamieson, Keith, Levinter, McCulloch, Maloney, G. A. Martin, W. S. Martin, O'Brien, Pattillo, Raney, Robins, Seaman, Seymour, Sheard, Slemin, Starr, Steele, Strauss, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 19th February, 1965, were read and confirmed.

BENCHERS

The Treasurer welcomed to Convocation Mr. Maxwell Bruce, Q.C., who was elected a Bencher on the 19th February, 1965.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 25th March, 1965, at 4:15 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Gregory, Keith, Pattillo, Seaman, Sheard, Slemin and R. F. Wilson.

BAR ADMISSION COURSE

EXAMINATION RESULTS — SIXTH BAR ADMISSION COURSE

The report of the Director of the Bar Admission Course showed that thirty-six students passed with Honours, a further one hundred and eighty-nine passed, and seven failed.

Your Committee recommends that the report be approved.

FACULTY

Your Committee approved the Director's recommendation that Mr. Ronald J. Rolls be appointed Assistant to the Head of Civil Procedure I and that Mr. W. D. Griffiths, Q.C., be appointed Assistant to the Head of Civil Procedures II.

OSGOODE HALL LAW SCHOOL

STUDENT LOAN FUND

The Osgoode Hall Law School Loan Committee met on the 9th and 22nd March, 1965, and recommended that loans be made to two students.

Approved.

LAW SOCIETY SCHOLARSHIPS FOR POST-GRADUATE STUDY

At its meeting on the 18th February, 1965, the Chairman appointed a Sub-Committee to consider the applications for Law Society Scholarships and to make recommendations. The Sub-Committee's report was considered and approved. It recommended that Post-Graduate Scholarships be granted to John Montgomery Barber of Osgoode Hall Law School and to Marvin Gary Baer of Queen's University.

APPROVAL OF FOREIGN DEGREES AND COURSES

Your Committee approved certain foreign degrees for the purpose of admitting the holders thereof to enter the first year of the Osgoode Hall Law School in September, 1965, under Regulation 4(3).

LAW SCHOOL TEACHING STAFF

Part-time Teaching Staff

Special Lecturers

The Dean recommended the appointment of the following Special Lecturers as of July 1, 1965, for one year.

Warren Maitland Harris Grover — 30 hours — Legal Regulation of Competition

Hubert Judd Stitt — 20 hours — International Commercial Transactions

Approved.

Honorary Lecturers

The Dean recommended the re-appointment of Dr. Harold George Fox, Q.C., as Honorary Lecturer in Patents, Trade Marks and Copyright; Dr. Goldwin Arthur Martin, Q.C., as Honorary Lecturer in Criminal Law; and William Goldwin Carrington Howland, Q.C., as Honorary Lecturer in Conveyancing and Mortgages.

Your Committee approved the Dean's recommendation and expressed its thanks to Dr. Fox, to Dr. Martin and to Mr. Howland for the services they have so generously rendered.

LAW SCHOOL CURRICULUM AND ALLOCATION OF SUBJECTS ACADEMIC SESSION 1965-66

The Dean presented an outline of the changes in the Law School curriculum and in the allocation of subjects for the academic session 1965-66.

Approved.

COMMERCIAL LAW PROGRAMMME

For the past three years the Commercial Law Programme has been under the general direction of Professor Ian F. G. Baxter and Professor Ivan R. Feltham. Professor Feltham is leaving the Faculty at the end of June, 1965, and your Committee recommends that Professor Baxter be appointed Director of the Commercial Law Programme.

THE REPORT WAS ADOPTED

OSGOODE HALL LAW SCHOOL

The Treasurer made a statement to Convocation concerning the Osgoode Hall Law School and its future, summarizing the reasons why he, with the authority of a special committee, had had discussions with representatives of York University. He asked approval of Convocation to continue the discussions.

It was moved by Mr. Howland, seconded by Mr. Ford, that Convocation approve in principle the carrying on of negotiations with York University with a view to the affiliation of Osgoode Hall Law School with it, and that the Treasurer be authorized to appoint such Committees as he may deem advisable, such Committees to report further to convocation.

Carried unanimously.

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on Thursday, the 25th March, 1965, at 3:45 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. A. S. Pattillo and R. F. Wilson.

FULL-TIME MEMBER OF FACULTY OF APPROVED LAW SCHOOL IN ONTARIO

Assistant Professor Turack. During 1963-64 Professor Turack was on the full-time teaching staff of the Faculty of Law, Queen's University. During 1964-65 he was on the full-time teaching staff of the Faculty of Law, Common Law Section, University of Ottawa, and has been reappointed in the same capacity for the forthcoming year.

He asks to be called to the Bar and admitted as a solicitor under the statement of policy respecting full-time members of approved Law Faculties in Ontario approved by Convocation the 19th February, 1960.

Approved.

COMMONWEALTH TRANSFER

Your Committee considered applications for transfer & made recommendations thereon.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 24th March, 1965, the following members being present: Messrs. Gregory (Chairman), Bruce, Harris, Howland, Levinter, W. S. Martin, Sheard, Steele and R. F. Wilson.

FINANCIAL STATEMENT — *1st July 1964 to 28th February 1965 — Approved.*

ROLLS AND RECORDS

The Secretary reports —

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their names have been removed from the rolls and records of the Society:

C.J. Henry, Q.C., Toronto	Called — 16th September 1937; Appointed Junior Judge, C.C.C. York, 29th March 1965.
A. B. Sprague, Q.C., Belleville	Called — 17th March 1938; Appointed C.C. Judge, Halton, 22nd March 1965.
J. P. Kelly, Hamilton	Called — 24th September 1952; Appointed Junior Judge, C.C., York, 2nd March 1965.

Noted.

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

A. R. Douglas, Q.C., London	Called—21st November 1918; Deceased—12th November 1963.
Laura I. Lees, Toronto	Called — 18th November 1926; Deceased—17th February 1965.
J. K. Webb, Q.C., Toronto	Called—15th June 1933; Deceased—18th February 1965.
W. N. Hancock, Q.C., Galt (Honorary Life Member)	Called—20th November 1914; Deceased—25th February 1965.
J. R. MacLaren, Q.C., Brockville	Called—18th May 1922; Deceased—27th February 1965.
A. L. Hanna, Q.C., Chatham	Called—17th June 1920; Deceased—1st March 1965.

Noted.

(3) *Disbarments*

That the following former member of the Law Society has been disbarred and struck off the rolls and his name has been removed from the rolls and records of the Law Society:

Robert A. Downing, Carleton Place	Called—17th October 1940; Disbarred—19th February 1965.

Noted.

The Secretary asks permission to remove the names of the following from the rolls and records of the Law Society on their own request:

Name	*Address*	*Date of Call*	*Remarks*
Alexander, Prof. E. R.	Ottawa	26/ 6 /58	Professor, University of Ottawa
Allinson, C. L. C.	Guelph	15/ 1 /31	Retired
Armstrong, J. I.	Montreal	16/11/39	Gen. Mgr. Canadian Textile Inst.
Belcourt, Paul L.	Halifax	16/ 2 /33	Business Development Officer, Royal Trust Co.
Berube, Joseph E.	Edmundston, N.B.	16/10/59	Barrister & Solicitor
Biggar, Ralph Q.C.	Nassau	21/ 6 /23	Retired — Ill health
Blair, Chas. H.	Ottawa	20/11/30	Non-legal capacity, Federal Govt. (Foreign Exchange Control Board)
Boucher, G. Russell	Ottawa	20/ 9 /28	Member of Air Transport Bd.
Cadwell, Roy	Clearwater, Fla.	16/11/33	Retired from practice.
Carr, D. J. G.	Surrey, England	17/10/58	Does not expect to return to Canada.
Clayton, Lester, H.	Vancouver	19/ 6 /30	Practising with firm of Russell & DuMoulin.
Corcoran, I. D.	Islington	21/ 1 /26	Retired
Coughlan, E. J.	Calgary	19/ 4 /63	Moved to Alberta.
Driscoll, J. R. C.	Toronto	21/ 1 /54	Fully retired — will be living outside Canada.
Gibson, W. Osmund	Oakville	Called 20/ 5 /20 Sworn 30/10/22	Retired
Gunn, Marjorie, R.	Willowdale	15/11/28	Retired

Hadden, John	Toronto	18/ 1 /17	Fully retired
Harris, H. R. Dale	Ottawa	Called 19/ 5 /21	
		Sworn 13/11/22	Fully retired
Howden, Edythe C.	Thornhill	17/ 9 /36	Fully retired
Hughes, R. L., Q.C.	Fort Lauderdale	17/ 1 /21	Retired
Landriau, F. A.	Toronto	21/10/20	Retired
Lang, W. Warner	Boston, Mass.	21/10/20	Practising in Boston; American citizen
Metcalfe, C. J.	Amherstburg	15/ 9 /38	Asks to have name removed
Mitchell, G. MacG.	Halifax	15/ 3 /57	Practising in Halifax
Moorhead, C. W.	Toronto	8/ 2 /17	Retired
Munnoch, Norman, A.	Montreal	20/10/20	Retired — living outside Ontario.
McColl, R. C.	Vancouver	29/ 6 /50	Practising with Russell & DuMoulin
Maclean, Daniel	Vancouver	8/10/23	With National Trust Co.
Nicol, J. P.	Gatineau, P.Q.	19/ 6 /41	With Cdn. Int'l. Paper Co.
O'Meara, W. P. J.	Ottawa	17/ 4 /19	Retired
Parrott, Rev. W. C.	Muncey, Ont.	15/ 1 /25	Asked to have name removed
Plant, A. H.	Essex	25/ 5 /15	Retired — ill.
Pugsley, W. G.	Ottawa	17/10/18	Retired (N.B. 1907; Quebec 1908)
Smith, E. Russell	Chatham	20/11/30	Not engaged in legal work
Smith, Russell, N.	Montreal	15/ 1 /25	Retired
Snider, Clarence	Meaford	12/ 9 /18	Retired
Stokes, M. L.	Gettysburg, Pa.	17/ 6 /26	Lecturer, Gettysburg College
Thompson, Prof. A. R.	Edmonton	16/11/56	Faculty of Law, U. of Alta.
Webster, H. F. Ross	Toronto	16/10/24	Retired

Your Committee recommends that the secretary be authorized to remove the names of those members set out above from the rolls and records of the Law Society on their own request.

CHANGE OF NAME

Maxwell Bruce — is entered on the rolls and records of the Law Society as Herbert Maxwell Bruce. He states that for over ten years he has practised under the name "Maxwell Bruce", and asks that his name be changed on the rolls.

John Alexander Holmes Clay, is entered on the rolls and records of the Society as "John Alexander Clay". He asks that his name be changed to his proper name — John Alexander Holmes Clay.

Peter Achilles Grossi — is entered on the rolls and records of the Law Society as "Peter Grossi". He asks that his name be changed to his proper name — Peter Achilles Grossi.

John Stephen Posen — is entered on the rolls and records of the Law Society as "J. Stephen Posen". He asks that his name be entered in full on the rolls and records as John Stephen Posen.

Stephen Cyril Wengle — is entered on the rolls and records of the Law Society as "Steve Cyril Wengle". He asks that his name be changed to his proper name — Stephen Cyril Wengle.

Your Committee recommends that these requests be granted.

SOLICITOR'S PRACTISING CERTIFICATE

Charles Augustus Thoburn was called to the Bar on the 18th October 1923 and sworn in as a solicitor on the 20th March 1924. He states that he has not practised as a solicior in Ontario from the 30th day of November 1953 to the present, and that during that time he carried out the duties of a full-time Magistrate for the Province in the County of York. He files a cheque in the sum of $540.00 to cover arrears of Bar Fees and Compensation Fund levy and his fee for his Practising Certificate for the current year. He asks that he be reinstated and his Practising Certificate issued.

Your Committee recommends that this request be granted.

Wilfrid Orlando Davis, was, on his own request, transferred to Past Records on the 14th October 1964. He has been a member of the Tax Appeal Board since 21st December 1963. He now asks that he be reinstated.

Your Committee recommends that this request be granted, subject to the applicant forwarding the amount necessary to pay his fees for the current year.

Arrears of Annual Fees 1964-65

The Secretary submits a list of 239 members in arrears for fees, made up as follows:

Practising members, 1964-65	131	(1963-64—122)
Non-practising members, 1964-65	78	(1963-64— 39)
Practising members in arrears for 2 years	21	(1963-64— 22)
Non-practising members in arrears for 2 years or more	8	(1963-64— 4)
Practising member in arrears for 1963-64	1	
	239	

Your Committee recommends that a letter be written to all members in arrears for fees for a period of more than one year, informing them that unless their arrears are paid by April 15th 1965 a notice will be served on them notifying them that a resolution as to their suspension from practice will be considered at the meeting of Convocation to be held on April 23rd 1965.

Legal Meetings and Entertainments

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Mch 9th — Criminal Justice Committee, Ontario Section, C.B.A. — Meeting in the Barristers' Lounge, 8 p.m.

Mch 31st — Civil Justice Committee, York County, Barristers' Lounge, 4:30 - 6:30 p.m.

April 6th — Civil Liberties Subsection of the Ontario Bar Association, Barristers' Lounge, 8 p.m.

April 8th — 3rd Year Class Graduation Dinner — Convocation Hall.

Noted.

Ontario Inter-Professional Liaison Committee

Mr. Howland, on behalf of the Ontario Inter-Professional Liaison Committee, requests that the Finance Committee approve the expenditure of approximately $1500.00 for participation by the Law Society of Upper Canada in a joint careers booth at the Canadian National Exhibition during this coming summer.

Your Committee approves an expenditure not to exceed $2,000.00, subject to the approval of the Public Relations Committee.

THE REPORT WAS ADOPTED

Mover by Mr. Gregory, seconded by Mr. Sheard, that the names of those persons set out above who had so requested and as they appear in the Finance Committee Report be removed from the rolls and records of the Law Society on their own request and that the necessary notations be made on the rolls.

Carried.

DISCIPLINE COMMITTEE

Order

The Deputy Secretary placed before Convocation the following Order which is entered on the Minutes of Convocation:

RE ROBERT ANDERSON DOWNING—order striking off the Rolls.

Proposed Ruling to Govern Resignations From Membership in The Law Society

Mr. O'Brien, Chairman, presented the Report of the Discipline Committee:

At the meeting of Convocation on the 19th February the question of members being allowed to resign at their own request arose out of the Finance Committee Report. The matter was referred to the Discipline Committee for the formation of a general policy in this regard.

Your Committee met on the 25th February 1965, the following members being present: Mr. O'Brien in the Chair and Messrs. Ford, Levinter and Robins.

The Chairman presented a draft ruling setting out the conditions upon which members might be allowed to resign from membership in the Society. Your Committee discussed the draft, and after making minor amendments recommends that the following Rule be adopted:

"1. A member may apply in writing to the Society for permission to resign. Every such application shall be accompanied by a Statutory Declaration (or if the member is not a resident of Canada, an Affidavit) setting forth the following:

(a) Age, date of Call to the Bar, place of residence, office address (if any), number of years in practice (if any) and stating briefly the reasons for the application;

(b) That all trust funds or clients' property for which the applicant was responsible have been accounted for and paid over to the persons entitled thereto and an accountant's certificate to that effect shall be attached and marked as an exhibit, or that the applicant has not handled trust funds or other clients' property;

(c) That all clients' matters have been completed and disposed of or that arrangements have been made to the client's satisfaction to have his papers returned to him or turned over to some other solicitor, or that the applicant has not engaged in practice;

(d) That the applicant is not aware of any claim made against him in his professional capacity or in respect of his practice;

(e) Such additional information or explanation as may be relevant by way of amplification of the foregoing.

2. The applicant shall also furnish proof of publication in the Ontario Reports of a notice of his intention to apply for permission to resign which shall be substantially in the form set forth below such notice to be published at least (30) days before the filing of the application with the Society.

3. The application shall be referred to the Finance Committee for consideration and report to Convocation. The Finance Committee may require additional information and may accept undertakings from the applicant and in reporting its recommendations to Convocation it may include conditions which are to be complied with by the applicant as a term of granting permission to resign.

4. Where the applicant believes that there may be good reason for dispensing with some or all of the foregoing requirements, he may make application to the Finance Committee setting forth his reasons and the Committee may in its discretion dispense with some or all of the above requirements.

5. Where a member has been found to be mentally incompetent and a committee of his affairs has been appointed, the application for permission to resign may be made by his committee.

NOTICE OF APPLICATION FOR PERMISSION TO RESIGN

(Name of applicant to be inserted in capitals)

Pursuant to the Requirements of the Rules of the Law Society of Upper Canada, the above-named hereby gives notice of his intention to apply for permission to resign his membership in the Society.

The applicant has carried on the practice of law at
(or has not carried on the practice of law since)
(or has never carried on the practice of law in Ontario)
DATED this day of
(Full name of applicant with his address)

THE REPORT WAS ADOPTED

REPORT OF THE SUB-COMMITTEE TO CONSIDER REPRESENTATIONS BY THE MAGISTRATES

Mr. O'Brien, Chairman, presented the Report of the Discipline Committee which incorporated the Report of the Sub-Committee to consider representation by the Magistrates.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA IN CONVOCATION ASSEMBLED:

The DISCIPLINE COMMITTEE begs leave to report:

Mr. Keith in the Chair and Messrs. Gray and Pattillo formed your Committee when it met on the 5th March, 1965. The Committee considered the report of the Sub-Committee to Consider Representations by the Magistrates, which is attached hereto, forming part of this Report. Your Committee recommends that the Report of the Sub-Committee be adopted.

TO THE DISCIPLINE COMMITTEE:

Your SUB-COMMITTEE TO CONSIDER REPRESENTATIONS BY THE MAGISTRATES RELATING TO THEIR MEMBERSHIP IN THE SOCIETY begs leave to report:

Your Sub-Committee met at 2:30 p.m. on Thursday the 4th March, 1965, the following members being present: Mr. Peter

Wright in the Chair and Messrs. Gray and Howland. The following Magistrates attended to make their representations: Magistrate R. B. Baxter, Port Hope, Magistrate S. Tupper Bigelow, Toronto, Magistrate M. J. Cloney, Toronto, Magistrate J. C. Dunlap, Sarnia, Magistrate F. C. Hayes, Toronto, Magistrate H. R. Howitt, Guelph, Magistrate D. B. Menzies, London and Magistrate W. R. Philp, Peterborough.

Speaking on behalf of the approximately seventy full-time Magistrates, Magistrate Baxter submitted that there are three classes of the judiciary: Judges of the Supreme Court of Ontario, Judges of the County Courts and Magistrates, and that the Society should treat Magistrates in exactly the same way as Judges of the Supreme Court are treated. Your Sub-Committee commented that Judges as well as being appointed differently appear to occupy a somewhat different position in that they cease to be members of the Bar upon their appointment to the bench and may not thereafter allow their names to appear in the names of firms of solicitors. They said that a Special Committee of the Benchers had been appointed to consider the position of Judges who have retired from the bench and seek to return to the practice of law. The Magistrates were asked if they would accept the position if Judges were not readmitted to practice after their retirement and answered that they would prefer to meet that problem when it arose.

The second submission the Magistrates made was that by paying the Compensation Fund levy they assumed conflicting interests and gave as an illustration their position when a disbarred lawyer came before them charged with a criminal offence which might involve the Compensation Fund. The Sub-Committee pointed out that the Compensation Fund might be involved whether or not there was a criminal conviction and that, in any event, the Sub-Committee did not understand that the Magistrates thought that their judgment was in fact affected by their paying the Compensation Fund levy. The Sub-Committee stated that all members of the Society must share membership on the same basis and bear the same responsibilities. Magistrate Bigelow suggested that Magistrates were not in a position to cause application to be made to the Fund because no solicitor and client relationship could exist between them and members of the public, but he was referred to the wording of the Act which allows grants to be made to mitigate loss in connection with any trust of which a member was trustee.

The third submission the Magistrates made was connected to the second submission and was that they should at the most be required to pay their membership fee of $70 annually to the Society or, if they were not to maintain their membership, that they be assured they could resume practice upon retirement. They pointed out that the retirement age for some Magistrates was lower than for Judges. Your Sub-Committee suggested that the present arrangement whereby Magistrates continued to be members of the Society, paying the normal fees, gave the Magistrates an option that Judges did not have and that only the recent increase in the Compensation Fund levy made their position onerous. It would still preserve to them the absolute right to engage in practice after retirement from the bench. Magistrate Baxter thought it unfair that Magistrates who wanted not to pay the Society's fees while on the bench were threatened with the possibility of being required to complete the Bar Admission Course before being allowed to practice whereas those who paid their fees escaped that danger. The Sub-Committee indicated that the requirement of the Bar Admission Course was conceived primarily for those who had let their membership lapse and engaged in activities not connected with the law.

Your Sub-Committee considered the submissions that had been made and recommends that the matter be referred to the Special Committee on Retired Judges Returning to Practice.

THE REPORT WAS ADOPTED

Interim Report on "Blitz" Audits

Mr. O'Brien, Chairman, read a short Interim Report on the "Blitz" Audits being conducted in the Toronto area.

Noted.

Report on the Work of the Discipline Committee — 1964

Mr. O'Brien, Chairman, reported briefly on the work of the Discipline Committee for the calendar year 1964, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman or Vice-Chairman, and the Secretary or Deputy Secretaries, and the number investigated by the Committee with the action taken thereon.

THE REPORT WAS RECEIVED

There was no time for Convocation to consider the Reports of the Professional Conduct Committee, the Library Committee, the Unauthorized Practice Committee, the County Libraries Committee, the Public Relations Committee and the Special Committee on Supreme and County Court Tariffs. Accordingly these matters were adjourned for presentation to the April Convocation.

CONVOCATION ADJOURNED AT 12:45 P.M.

The Treasurer and Benchers entertained at luncheon the Honourable Dana H. Porter, Chief Justice of Ontario, the Honourable Mr. Justice Aylesworth and Mr. R. J. Roberts, Q.C., Director of the Bar Admission Course.

The Treasurer and Benchers and their guests then proceeded to the O'Keefe Centre.

CONVOCATION RESUMED *at 2:30 p.m., a quorum being present*

The body of the theatre was occupied by the graduates of the Bar Admission Course, their families and friends.

CALL TO THE BAR

Mr. Terence Sheard, Q.C., Chairman of the Admissions Committee, then presented to the Treasurer and Benchers the following candidates:

WITH HONOURS

John Frank Petch — and The Treasurer's Medal, The Law Society First Prize, The Lawyers Club First Prize, The Commercial Law and Company Law Prize, and the Criminal Procedure Prize.

Herbert Paul Katzman — and the Law Society Second Prize and The Lawyers Club Second Prize.

Thomas Ian Alexander Allen — and The Law Society Third Prize.

J. Arthur Cogan — and The Reading Law Club Prize and The Reading Law Club President's Prize.

Gary Lisle Greatrex
Henry Lepine Molot
Hartley Ronald Nathan

Donald Charles Matheson
Michael James McQuaid
Arthur Henry Clairman

Frederick Cogan
James Michael Bradley
Paul James John Sullivan
Norris Weisman
Donald William Milne
Ronald R. Dagenais
William Laurence McAuley
Dean Saul
Donald Eric Smith
Carol Elaine Mahood
Donald Neville Plumley
Peter Balfour Gordon Cathcart
Paul William Hellen
Jerry Norman Birenbaum
David Morris Steinberg
Stanley Sadinsky
Patrick Joseph Cull
Bradley Thomas Granger
William Robert McCormick
Edward Marshall Pollock
Richmond Charles Edward Wilson
John Douglas McLaughlin
Denis Joseph Richard Power
Gerald Romeo Morin
Thomas Henry McCarthy Jermyn
Stanley Morris Tick
Douglas Randall Adams
Percy John Stanley Adlam
Morris Sam Appleby
Roy William Atamanuk
Ralph Stephen Back
Cecil Ross Ball
Theodore Belman
Robert George Alexander Bergeron
James Douglas Bernstein
Earle Ashton Blackadder
Edith Mikailovna Blake
Judith Anne Booth
John Perry Borden
John Randal Boyce
John Creighton Bright
Arthur Frederick Brookes
Robert Lloyd Budgell
John Douglas Burgar
Eugene John Caldarelli
Robert Vincent Callahan
Glenn W. Cameron
Luther Paul Chambers
John Paul Charlebois
Norman Michael Chorney
Nina Chyz
John Alexander Holmes Clay
Robert Francis Cline
Thomas Alton Cline
Robert William Comish
Leonard Pickering Compton
Joseph Jacques Hector Corbeil
Edward Owen Cougler
Paul Anthony Crum-Ewing
David Ferrand Curtis
Armando Felice Antonio De Luca
Robert Claude Desmarais
Joseph Alexander De Sommer
Robert Emmet Desormeau
Jordan Dimoff
Ronald Ralph Dodokin
James Fergus Donnelly
William Charles Drainim
William Douglas Drinkwalter
George Jeremiah Duchart
Morris Edelstein
Paul Gilmore Ellis
Walter Stuart Frank Ellis
John Francis Evans
John Errol Farr
Abraham Feinstein
George Edward Cecil Fine
Raphael Marvin Fingerhut
Charles Cameron Finley
Joan Diane Teskey Finley
John Robinson Finley
Lawrence Thomas Forbes
Joseph Frederick Foreman
James Warren Fraser
John Millman Fuke
Richard James Joseph Furnell

Charles Joseph Gardner
John Bruce Gardner
Andre Marcel Garneau
David George Gaviller
Stanley Gershman
Gerald Gold
George Goldberg
Robert Gour
Warren Stanley Green
Sheldon Howard Greenberg
Peter Achilles Grossi
John David Guyer
Paul Timothy Hagarty
Peter Douglas Hewett Hall
John Gilbert Harding
Donald Muir Henderson
Murray Herman
Frank Marvin Hoffman
Allan Dickson Houston
Gary Robert Jacob
Thomas Gordon Jamieson
Alexander Murray Jeffery
Charles Christopher Johnston
Allan Roy Keith
Gordon Charles Kelly
Saul Bernard Kelner
Martin Kerbel
Henry Justus Knotek
Andre E. Kozak
John Rogers Miller Lash
Anthony Edward Laskowsky
James William George Lawrence
Robert Corrigan Lee
Warren Yale Lefton
Clare Elvet Lewis
Donald Cumstock Lewis
Joseph Earl Lewis
Stanley Joseph Lieberman
Eric Samuels Lindsay
Irving S. Lindzon
William Abraham Lipson
D'Arcy Graham Luxton
Rene Sutherland MacCall
Donald Bruce MacDermott
Jeanne D. Mallory
William Ward Markle
Richard Rudolphe Marks
John Edward McCormick
Douglas James Stewart McDowell
John Frederick McGarry
Edward McGill
William Thomas McGrenere
Floyd Maxwell McInnes
Donald Alexander McKenzie
Donald Gordon McLean
Ian Hunter McNish
Sigmund Mintz
Michael Edwin Mitchell
Philip Thomas Mitches
Martin Francis Dunstan Monaghan
Melvin Augustus Morassutti
Costley L. Morris
Armand Morros
Donald Morton Moscoe
Herbert Carfrae Mosser
Michael O'Dea Mungovan
Jan Josef Munk
Francis James Murphy
James Murphy
Raymond Arthur Peter Niejadlik
Austin Garry O'Neill
Donald Douglas Organ
Antoine de Lotbiniere Panet
Peter Partington
Joseph Sylvio Jean-Marc Patenaude
Douglas Albert Peppiatt
Mierslow Leon Pieprzak
Romain William Michael Pitt
Raymond Michael Plant
Kent Harry Ervin Plumley
Ernest William Popovich
Thomas Anthony Por
John Stephen Posen
Leon Price
Olgerts Joseph Pukitis

Siegfried Reinhold
  Max Quickert
Thomas Leo Quinlan
John Peter Quinn
Robert Kerr Rankin
Robert Joseph Redmond
Frank Kelso Roberts
Solomon Louis Rosen
Morley Abraham Rosenberg
Ronald Arthur Rubinoff
Leon Jerome Shanfield
Saul Shulman
Frank Frederick Shunock
Martin I. Silver
Brian Noel Sinclair
John Monteith Skinner
David Duncan Smith
Gary Smith
Henry Anthony Smith
Stephen C. Smith
Walter Michael Sobczyk
Walter James Sopinka
Boris Jaroslav Sorokiwsky
Max Michael Steidman
Philip James Vernon Stevens
David Goldwin Ian Stewart
Graham Stoodley
Christopher Stoyan
Thomas Rene Sutherland
Michael Joseph St. Bernard
  Sylvester
George William Taylor
William Murray Thom
Jared Edgett Tisdale
Jonathan David Usher
Jan van der Woerd
Douglas Howard Waghorn
Arthur Samuel Wakim
John Douglas Ryerson Walker
Edwin K. Weir
Kenny Alwyn Whent
Peter White
John E. Willson
Warren Keith Winkler
Jerry Harold Woron
Herbert Leon Wunder

The Treasurer then conferred upon the candidates the degree of Barrister-at-law and called them to the Bar of Ontario.

The Treasurer then presented the Treasurer's Medal to —

JOHN FRANK PETCH

and the following prizes:

The Law Society's First Prize —	John Frank Petch
The Law Society's Second Prize —	Herbert Paul Katzman
The Law Society's Third Prize —	Thomas Ian Alexander Allen
The Criminal Procedure Prize —	John Frank Petch
The Commercial Law and Company Law Prize —	John Frank Petch
The Lawyers Club First Prize —	John Frank Petch
The Lawyers Club Second Prize —	Herbert Paul Katzman
The Reading Law Club Prize —	J. Arthur Cogan
The Reading Law Club President's Prize —	J. Arthur Cogan

CONVOCATION THEN ROSE

Following the meeting of Convocation a court room was set up in the O'Keefe Centre with the Honourable Mr. Justice Aylesworth presiding.

Mr. Terence Sheard, Q.C., presented the candidates to His Lordship.

At the conclusion of the ceremonies the Treasurer and Benchers entertained the new barristers, their families and friends at a reception in the main lounge, lower ground floor at the O'Keefe Centre.

J. D. ARNUP
Treasurer.

[1965] 2 O.R.

THE PROPERTY OF
THE LAW SOCIETY

MEETING OF CONVOCATION

FRIDAY, 23RD APRIL, 1965

10:30 A.M.

PRESENT:

The Treasurer and Messrs. Beament, Bruce, Chitty, Creighton, Fennell, Ford, Gray, Gregory, Howland, Jamieson, Keith, Levinter, Maloney, G. A. Martin, W. S. Martin, McCulloch, McLaughlin, O'Brien, Pattillo, Raney, Robins, Roebuck, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 26th March 1965 were read and confirmed.

RE: CHARLES HAROLD WALKER, Q.C.

The Treasurer announced the death on the 22nd April 1965 of Mr. Charles Harold Walker, Q.C. who had been counsel to the Law Society for several years. The Treasurer referred to Mr. Walker's interest in and devoted service to the affairs of Convocation and various committees.

BENCHERS

The Treasurer announced the death on March 28, 1965 of Her Royal Highness Victoria Alexandra Alice Mary, The Princess Royal, an Honorary Bencher of this Society.

The Treasurer announced the death on the 20th April 1965 of the Honourable Charles Percy Plaxton, a bencher ex officio of this Society.

It was ordered that an expression of sincere regret of the Benchers be recorded in the Minutes.

Special Committee Re Landreville J.

Mr. H. F. McCulloch and Mr. G. A. Martin were not present during the consideration of this Report.

The Treasurer reminded Convocation that this Report was read to Convocation on March 25, 1965, and its adoption moved. After discussion it was directed that consideration stand to this meeting of Convocation.

The Report was adopted, including the direction that a copy of it be forwarded to the Minister of Justice, the Attorney-General of Ontario, the Chief Justice of Ontario, the Chief Justice of the High Court, and the Honourable Mr. Justice Landreville.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee considered an application for Call to the Bar (Special), for transfers from other jurisdictions, and a special petition and made recommendations thereon.

THE REPORT WAS ADOPTED.

Call to the Bar

The following candidate was presented to the Treasurer and Convocation, was Called to the Bar, and the degree of Barrister-at-Law was conferred upon him:

Daniel Cheyenne Turack — Professor, Faculty of Law, University of Ottawa.

PROFESSIONAL CONDUCT COMMITTEE (March)— Mr. Wright

Your Committee met on Thursday, the 18th March, 1965, at 2:30 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, O'Brien and Strauss.

Your Committee considered the comments from the profession on proposed Rulings published in the Ontario Reports on February 12th, 1965, and having made some amendments recommends that the following Rulings be approved by Convocation for inclusion in the Professional Conduct Handbook:

(1) RULING 2 — ACTING FOR BOTH SIDES

A solicitor must not act for two or more clients where their interests are in conflict. However, where a solicitor is asked to act for a vendor and purchaser, or in any other matter where he contemplates that there may be a conflict of interest between two parties, he should in all cases inform both parties that he is acting for both parties and that no information which he receives in connection with the transaction from either party can be treated as confidential so far as the other party is concerned. He should obtain the consent of both parties to act for them and advise them that if there is a conflict of interest which cannot be resolved he cannot continue to act for both parties in that matter and may not be able to act for either.

(2) RULING 2-A — DISCLOSURE OF CONFIDENTIAL INFORMATION

Subject to lawful authority and to the special circumstances set forth in Ruling 2, the disclosure by a solicitor of confidential information obtained by him in the course of carrying out his professional duties, or the use of such confidential information either for the benefit of the solicitor or against the interest of the party from whom such confidential information was obtained, is professional misconduct.

By reason of the new entitlement of Ruling 13 on "Conflict of Interests" letters were received for clarification from several members of the profession.

The Committee dealt with situations involving lawyers serving voluntarily on public Boards who had adopted the practice of declaring their interest and taking no part in any proceedings before the Board where their law office was involved. This practice was approved in the particular cases.

Your Committee has received a letter from the legal department of the Bell Telephone Company of Canada promising its active assistance in obtaining the profession's compliance with Ruling 16.

Your Committee is continuing its consideration of the whole question of touting, advertising and securing business unfairly and will be reporting later with regard to it.

Your Committee passed on the propriety of four announcements brought to its attention.

Your Committee considered enquiries from members of the profession in regard to the present situation resulting from the repeal of Ruling 21 and approved a standard letter in the following form:

> "The effect of the cancellation of Ruling 21 is to remove any approval by The Law Society of the practice of taking interest earned on clients Trust Accounts, and to leave the question to be determined by the general law, having particular regard to the judgment of The House of Lords in *Brown* v. *Inland Revenue Commissioners,* (1964) 3 W.L.R. 511. As that case is generally understood, it held that a solicitor or other person in a fiduciary position is not entitled to retain interest earned on trust funds unless authorized to do so by the persons whose money he holds in trust."

Your Committee ruled that lawyers could not retain commissions paid in respect of mortgage or other business on behalf of clients without the knowledge and consent of the client.

Your Committee ruled that a lawyer may with propriety act for a client who has given a general retainer to another lawyer or firm.

Your Committee ruled that a lawyer could have his name as an executive director on the letterhead of a non-profit organization so long as he does not use this title in connection with his practice nor refer to his practice in connection with the use of the title.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE (March)— Mr. Seaman

Your Committee met on Friday, the 26th day of March, 1965, the following members being present: Mr. R. L. Seaman (Chairman), and Messrs. Ball, Beament, Creighton, Fennell, Ford, Levinter, W. S. Martin, Raney, Slemin, Steele and Strauss.

Your Committee investigated several matters of alleged unauthorized practice and made recommendations thereto.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE (March)—Mr. Fennell

Your Committee met on the 26th March, 1965, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Harris, McCulloch, W. S. Martin, Raney, Seaman, Slemin and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following county and district law associations having failed to file their annual returns by the 31st day of January have now filed their annual returns for the year 1964 in accordance with Rule 103 and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to such associations as follows:

Cochrane	955.00
Elgin	775.00
Essex	1,850.00
Hastings & Prince Edward	1,175.00
Leeds and Grenville	750.00
Muskoka	600.00
Oxford	950.00
Prescott and Russell	600.00
Rainy River	600.00
Temiskaming	600.00

PEEL COUNTY LAW ASSOCIATION

The Peel County Law Association which received its initial grant in 1952 and has received thirteen annual grants, has applied for a loan in order that it may purchase a set of the Law Reports. Your Committee recommends to the Finance Committee that a loan of $3,600.00 be made to this association provided that security be given as required by Rule 105 for the due expenditure and repayment of the money advanced. Your Committee further recommends that this loan be repaid out of future annual grants in four instalments of $700.00 and one of $800.00.

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE (March)— Mr. W. S. Martin

To The Benchers of The Law Society of Upper Canada
In Convocation Assembled

The Public Relations Committee begs leave to report:

Your Committee met on Thursday, the 25th March 1965, the following members being present: Messrs. W. S. Martin (Chairman), Gray, O'Brien, Pattillo, Raney and Wright.

Mr. James A. Cowan, Public Relations Consultant, was present by request.

Public Relations Programme — *"Buying a Home? Why You Need a Lawyer"*

Mr. James A. Cowan presented the following report on the programme as adopted by the Committee on the 15th October 1964 for presentation in London, Ottawa and Sudbury:

> "With actual copies of the pamphlet: BUYING A HOME? WHY YOU NEED A LAWYER, available for use in testing reactions — as advertising campaigns, for example, are normally pre-tested before publication, — it has been possible to secure much more precise information on the effectiveness of this approach to public opinion in Ontario.
>
> This was largely a random survey but did include press, radio, educators, representatives of various groups and organizations, etc. This reaction was excellent. Comments stressed that the folder was brief and to the point. The subject could not be more timely. Housing starts in Ontario during February at 2,070 units, were up 18 per cent over the same month of 1964 though down slightly in January compared with last year. Dwellings under construction nationally in February 1965 totalled 87,514, an increase of 10 per cent over the same period of the year preceding while the figure for January, 89,888 dwellings under construction, was also well above January, 1964. Loan applications show an increase as well. The possibility that the condominion principle of property ownership may in due course become applicable in Ontario would increase the need for legal services as far as the individual buyer is concerned. The timeliness and widening interest does create problems as well as opportunity.

The original plan called for distribution of the pamphlet to be tried out in three areas, Ottawa, Sudbury and London, under the direction of the local associations in each case. These plans are well advanced and tied in to local use of the speech on the need for a family lawyer. The three areas cover among others, the assured-income white collar group in Ottawa; heavy-industry employees, high hourly-rated payrolls and multilingual groups in Sudbury; higher-income suburban residential developments, service industry workers and rural dwellers in London. Press and radio are the chief promotional media in all three. This method of promotion and distribution based on local and regional programs actively led in each case by members of the Society resident in the area appears on further investigation to be the sound one and that most suitable for the Province at large. But a re-examination of these local programs is proposed here in the light of recent information.

The press run of the first edition of the pamphlet is 10,000 copies. In the present situation demand could run very much higher, could easily reach ten times this figure. Budget control would in any case be difficult. If the publication became popular, there would be direct requests to the Society for copies and this, in turn, would boost distribution costs. In the original discussions, the objective was to develop low-cost methods of both printing and distribution.

What is proposed for discussion today is a re-examination of the Society's continuing public relations program with special reference to techniques used at the local level. The home-buying pamphlet is intended as the first in a series of such studies and is therefore an experimental effort. The level of public interest in this case is extremely high. The pamphlet and the accompanying speech may best be considered as basic information pieces around which a broader program can be developed at much lower cost than would be involved in attempting to do it by direct distribution to the general public of printed literature."

As the restricted test distribution of the pamphlet has proved successful, YOUR COMMITTEE RECOMMENDS that Mr. Cowan be authorized to distribute the pamphlet "Buying a Home? Why You Need a Lawyer" generally on a local level in the areas designated — Ottawa, Sudbury and London.

PUBLIC RELATIONS — *Sault Ste. Marie Law Association*

The Professional Conduct Committee has referred to the Public Relations Committee some correspondence with reference to a programme sponsored by the Canadian Life Underwriters Association with the cooperation of the Sault Ste. Marie and District Law Association designed to encourage people to make wills.

Your Committee requests the Secretary to write the President of the Sault Ste. Marie and District Law Association to ascertain the success of such campaign.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SUPREME AND COUNTY COURT TARIFFS

(March)—Mr. Steele (Chairman)

At the meeting of Convocation on the 19th February 1965 it was moved, seconded and carried that the Treasurer appoint a Special Committee on Supreme and County Court Tariffs. The Treasurer appointed a Special Committee consisting of Messrs. Steele (Chairman), Gray, Robins, Starr and Williston.

Your Special Committee met on 19th March 1965, the following members being present: Messrs. Steele (Chairman), Gray, Robins and Starr.

YOUR COMMITTEE RECOMMENDS —

THAT the Secretary write to each of the other Provincial Law Societies for a copy of the relevant tariffs.

THAT Mr. R. H. Sankey, Q.C., Taxing Officer, be asked to attend a meeting of your Committee to express his views.

THAT a notice be printed forthwith in the Ontario Reports informing the profession that a Special Committee has been appointed, and that the Committee would be glad to receive submissions from County and District Law Associations or from individual members of the Bar by May 31, 1965.

THE REPORT WAS ADOPTED.

LEGAL EDUCATION COMMITEE—Mr. Howland

OSGOODE HALL LAW SCHOOL

LAW SOCIETY SCHOLARSHIPS FOR POST-GRADUATE STUDY

At its meeting on the 25th March, 1965, your Committee had before it a report of the Sub-Committee on Law Society Scholarships for Post-Graduate Study and approved the Sub-Committee's recommendation that two scholarships be granted, one to John Montgomery Barber of Osgoode Hall Law School, and the other to Marvin Gary Baer of Queen's University. Convocation adopted the Sub-Committee's recommendation.

Since then John Montgomery Barber indicated that he is receiving assistance from the University where he will do his post-graduate work and applied for a grant from The Law Society of $1,000.00.

Further information was received relating to Ronald George Atkey of The University of Western Ontario. The Sub-Committee met again on the 22nd of April, 1965 at 4:00 p.m., and their report was before your Committee recommending that Scholarships in the amount of $2,000.00 each be awarded to Marvin Gary Baer and to Ronald George Atkey, and that a Scholarship in the amount of $1,000.00 be awarded to John Montgomery Barber.

Your Committee approved the Sub-Committee's report.

APPROVAL OF FOREIGN DEGREES AND COURSES

Your Committee approved the following degrees for the purpose of admitting the holders thereof to enter the first year of the Osgoode Hall Law School in September, 1965, under Regulation 4 (3):

Degree	*Applicant*
Bachelor of Arts, George Washington University, Washington, D.C.	— Dulcey Ann Brown
Three year Civil Engineering Course, University of Belgrade, Belgrade, Yugoslavia	— Sidney Trifunovic
Bachelor of Laws, University of Bombay, Bombay, India	— Minoo Khoorshed

THIRD COMMONWEALTH AND EMPIRE LAW CONFERENCE, AUSTRALIA — AUGUST 25 TO SEPTEMBER 1, 1965

Your Committee approved a recommendation of the Faculty that payment of accommodation expenses up to $300.00 each for Professors Jean-G. Castel and D. B. Spence, Q.C., be authorized out of the Law School expense account to assist them to attend the Conference in August, 1965.

ANNUAL MEETING, ASSOCIATION OF CANADIAN LAW TEACHERS, JUNE 9 TO JUNE 11, 1965

Your Committee approved a recommendation of the Faculty that payment of the necessary travelling and accommodation expenses be authorized out of the Law School expense account to enable Professors Arthurs, Feltham, Gray, Hefferon, Linden and the Dean to attend the Annual Meeting of the Association of Canadian Law Teachers in Vancouver.

THE REPORT WAS ADOPTED.

DOCTOR OF LAWS HONORIS CAUSA

The Treasurer announced that at the Academic Convocation on the 24th June 1965 the Degree of Doctor of Laws honoris causa would be conferred on Professor Austin W. Scott, Dane Professor of Law Emeritus, Harvard Law School. author of the Law of Trusts and other texts and legal articles.

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 21st April 1965, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Harris, Keith, Levinter, W. S. Martin, Slemin and Steele.

FINANCIAL STATEMENT — *1st July 1964 to 31st March 1965*

Approved.

ROLLS AND RECORDS

The Secretary reports —

(1) *Appointment to the Bench*

That the following former member of the Law Society has been honoured in his appointment to judicial office, and his name has been removed from the rolls and records of the Society:

Kenneth Y. Dick, Q.C.,
Milton West

Called — 20th January 1938;
Appointed Judge, C.C.C. Oxford,
9th April 1965.

(2) *Deaths*

That the following former member of the Law Society has died and his name has been removed from the rolls and records of the Society:

C. A. Rowe, Q.C., Ottawa	Called — 15th September 1938; Deceased — 25th March 1965.

Noted.

The Secretary asks permission to remove the names of the following from the rolls and records of the Law Society on their own request:

Name	*Address*	*Date of Call*	*Remarks*
Giles, Frederick C.	Vancouver	16/9/48	Practising in B.C.
Line, Thomas C.	Sidney, B.C.	19/3/25	Ill — Bar only for many years.
Milliken, William P.	Toronto	29/9/28	Ill — Bar only for many years.
Orde, R. J., Q.C.	Ottawa	23/5/18	Retired.

Your Committee recommends that the Secretary be authorized to remove the names of these members accordingly.

CHANGE OF NAME

Costley Leacroft Morris — is entered on the rolls and records of the Law Society as Costley L. Morris. He asks that the records be changed to include his proper name, Costley Leacroft Morris.

Your Committee recommends that the request be granted.

ARREARS OF ANNUAL FEES 1964-65

On March 24, 1965 the Secretary presented a list showing 239 members in arrears for barristers and solicitors fees, of whom 29 were in arrears for more than one year, and one for the year 1963-64. Of this number 78 were non-practising members and 8 were in arrears for more than one year.

The Committee recommended that all members in arrears for more than one year be informed that unless their fees were paid forthwith, notice would be served that a resolution for their suspension from practice would be considered at the April Convocation.

Since March 24th —

18—paid fees and penalties for the current year
13—paid fees for more than one year
4—paid arreas for 1963-64.

One member whose fees are in arrears for more than one year is ill, and his fees are standing in abeyance for the time.

Pursuant to the resolution of the Committee, notice as referred to above was served on 11 barristers and solicitors in arrears for more than one year, of whom 4 were non-practising members.

The following are still in arrears for more than one year:

PRACTISING MEMBERS

Peter L. Slaght, Esq., 80 King St. West, Toronto.

NON-PRACTISING MEMBERS

Melville Faulkner Rogers, 35 Mackay Street, Ottawa.
Edward E. Gelber, 15 Ben Maimon Ave., Jerusalem, Israel.
Mrs. Rose Rabkin Rosenfeld, 3 Washington St., Jerusalem, Israel.

Your Committee recommends with respect to —

PRACTISING MEMBERS

Peter L. Slaght, Esq., 80 King St. West, Toronto.

NON-PRACTISING MEMBERS

Melville F. Rogers, 35 Mackay Street, Ottawa

who are in arrears for fees for more than one year, that appropriate action be taken to have them suspended from practice for a period of one year.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

April 13th — Advocacy Committee and the Moot Court Committee of Osgoode Hall Law School ask permission to use the Barristers' Lounge, at 4 p.m. for a reception and presentation of awards and prizes.

April 28th — Criminal Justice Section, Ontario Subsection, C.B.A. request permission to use the Barristers' Lounge for a meeting at 8 p.m.

Noted.

THE REPORT WAS ADOPTED.

Moved by Mr. Gregory, seconded by Mr. Sheard, that the names of those persons set out above who have so requested and as they appear in the Finance Committee Report of this date, be removed from the rolls and records of the Law Society at their own request, and that the necessary notations be made on the rolls.

ARREARS OF ANNUAL FEES — *Motion to Suspend*

Moved by Mr. Gregory, seconded by Mr. Sheard, that pursuant to The Law Society Act, R.S.O. 1960, cap. 207, the following Barristers be and they are hereby suspended from practice for a period of one year from this date:

Peter Lewis Slaght
Melville Faulkner Rogers

Carried.

On motion made by Mr. Gregory, seconded by Mr. Sheard, it was resolved that the following Solicitors be and they are hereby suspended from practice for a period of one year from this date:

Peter Lewis Slaght
Melville Faulkner Rogers

Carried.

PROFESSIONAL CONDUCT COMMITTEE — Mr. Wright

Your Committee met on Wednesday the 14th day of April, 1965, at 2:30 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien, Slemin and Strauss.

RULING 12 (b) — LETTERHEADS — EXCEPTION IN RE "PATENT AGENTS"

Members active in the Industrial property field and a representative of the Patent and Trade Mark Institute of Canada appeared before the Committee in regard to the proposal that Ruling 12(b) should be dropped. In the course of their remarks they developed the history of the special position of Patent Agents in Ontario, the assistance which the Law Society had given to the establishment of their position and their submissions that the Ruling should remain unchanged.

After consideration the Committee recommends that the Ruling remain unchanged.

PROPOSED RULING 32 — DUTY TO MEET FINANCIAL OBLIGATIONS

Your Committee considered the comments from the profession on the proposed Ruling on the "Duty to Meet Financial Obligations" and with one amendment recommends that the following be approved for incorporation in the Professional Conduct Handbook as Ruling 32 — Duty to Meet Fnancial Obligations:

RULING 32

DUTY TO MEET FINANCIAL OBLIGATIONS

> To maintain the honour of the Bar members have a professional duty (quite apart from any legal liability) to meet financial obligations in relation to their practice such as debts incurred to Sheriffs, Special Examiners, Registrars of Deeds and other public officials; agency accounts and obligations to members of the profession.
>
> When a member incurs an obligation on behalf of a client which he is not prepared to pay personally he shall make his position clear in writing at the time the obligation is incurred.

RULING 10 — SIGNS

In the light of the discussion with regard to the appeal of Ruling 12(b) the proposed new Ruling 10 was reconsidered by the Committee and it was decided to make no change with regard to the special position of Patent Agents but to permit the use of the word "lawyer" and "barrister-at-law" in such signs. Your Committee therefore recommends that the following Ruling be approved by Convocation for inclusion in the Professional Conduct Handbook replacing the present Ruling 10:

RULING 10

SIGNS

(1) Signs identifying the office of a member should be restricted to the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm and the words "barrister-at-law", "barrister and solicitor", "lawyer", "law office", or the plural where applicable, the words "notary" or "commissioner for oaths" or both and their plural where applicable may be added. A statement of office hours or alternative addresses may appear.

(2) Such words as "money to loan", "insurance office", "proctors", "attorneys", "mortgages", "solicitor to the township", and the like if now in use will be removed not later than the 1st of June, 1965.

(3) Lettering and signs will be of modest size and in good taste. As a general guide no sign need have the letters larger than six inches in height.

(4) The Professional Conduct Committee may in special circumstances authorize exceptions to this Ruling.

THE REPORT WAS ADOPTED.

Convocation adjourned at 12:47 p.m.
Convocation resumed at 2:15 p.m., a quorum being present.

DISCIPLINE COMMITTEE—Mr. O'Brien

RE: RICHARD JAMES JONES, Oakville, Ont.

The Committtee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he —

(1) contrary to Rule 3 of the Rules Respecting Accounts, has drawn money from his trust account other than money properly required for payment to or on behalf of clients or in respect of liabilities of clients to him;

(2) has failed to maintain at all times, and particularly in November 1964, sufficient money on deposit in his trust bank account to satisfy his indebtedness to clients for trust funds; (Note: on the 24th November, 1964 the shortage was $9,020.26)

(3) failed to maintain the books and records required by Rules 7 and 8 of the Rules Respecting Accounts as required by the Rules Respecting Accounts;

(4) received $1,480.00, more or less, in trust for H. A. Bailey but failed to deposit it in a trust bank account as required by Rule 1 of the Rules Respecting Accounts;

and recommended that he be disbarred and struck off the rolls of The Law Society of Upper Canada.

The Committee pointed out that it recommended disbarment although a relative of the solicitor had put up the money to cover the trust shortages and although no member of the public was harmed; and that the disbarment is recommended because of the fact that the solicitor persistently misused his trust account, and in effect used it as a personal account.

Moved by Mr. O'Brien, seconded by Mr. Howland, that the Report be adopted.

The solicitor attended with counsel, Mr. J. E. Eberle, who addressed Convocation. Mr. Eberle submitted a Petition dated 22nd April 1965 signed by nine members of the Bar practising in Oakville, and asking leave for Mr. Jones to resign in place of disbarment.

Mr. O'Brien read a letter of 22nd April 1965 from Mr. Peter McWilliams, Crown Attorney at Milton, Ontario.

The motion was carried.

It was accordingly ordered —

1. THAT the Report of the Discipline Committee in the matter of RICHARD JAMES JONES, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said RICHARD JAMES JONES guilty of professional misconduct, and of conduct unbecoming a Bar-

rister and Solicitor in respect of the charges dealt with by the said Report.

3. THAT the said RICHARD JAMES JONES be disbarred.

4. THAT the said RICHARD JAMES JONES is unworthy to practise as a Solicitor.

SUPERFICIAL AUDITS

Mr. O'Brien, Chairman, read a short Interim Report on the Superficial Audits being conducted in the Toronto area. The report was received.

UNAUTHORIZED PRACTICE COMMITTEE

Mr. Seaman, Chairman, reported orally on several matters under consideration by the Committee.

The Report was received.

COUNTY LIBRARIES COMMITTEE—Mr. Fennell

Your Committee met on the 23rd April 1965, the following members being present: Messrs. Fennell (Vice-Chairman), Beament, Creighton, W. S. Martin, Raney, Seaman, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the following county law associations, having failed to file their annual returns by the 21st day of January, have now filed their annual returns for the year 1964 in accordance with Rule 103 and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to such associations, as follows:

Frontenac	$1,200.00
Haldimand	600.00
Ontario	1,666.67
Stormont, Dundas & Glengarry	866.67
Waterloo	1,850.00

INSPECTION OF LIBRARIES

Your Committee recommends that it be left to the Chief Librarian to decide which libraries are to be inspected in the year 1965.

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE—Mr. Pattillo

Your Committee met on Thursday, the 22nd April 1965, the following members being present: Messrs. W. S. Martin (Chairman), Gray, O'Brien, Raney and Slemin.

PUBLIC INFORMATION PROGRAMME —

"Buying a Home? Why You Need a Lawyer".

Mr. James A. Cowan presented a further report dated April 22nd, 1965 on the programme as adopted by the Committee on the 15th October 1964 for presentation in London, Ottawa and Sudbury, and a draft letter of instruction to be sent to the three relevant Associations.

Your Committee approves of Mr. Cowan's report and of the draft letter to the local committee in Ottawa, London and Sudbury as amended by your Committee.

THE REPORT WAS ADOPTED.

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on Thursday, 22nd April 1965, the following members being present: Messrs. Levinter (Chairman), Steele (Vice-Chairman), Ford, Maloney and Strauss.

ONTARIO LEGAL AID PLAN 1964

Attached hereto as part of this Report is the Report of the Provincial Director for the year 1964.

Your Committee approves and adopts the Report, and refers it to Convocation for its information and for distribution to the Benchers.

TO THE LEGAL AID COMMITTEE

The Provincial Director begs leave to present his thirteenth Report — for the year 1964.

Reports have been received from all Counties this year. The information contained herein provides data only with respect to those Counties which have compiled regular records, and does not include those services which are provided by individual lawyers who recognize their duty to provide voluntary assistance free of charge to the indigent.

Our thanks are extended to the entire legal profession whose overwhelming support has made possible the provision of legal services to members of the public who find themselves in financial difficulties. We further acknowledge with thanks the financial aid provided us by the Government and the Attorney-General of this Province.

Legal Aid Clinics were held in seven (7) Counties and Districts on a regular basis, in others as required.

Algoma	19
Carleton	24
Essex	51
Middlesex	44
Waterloo	2
Wentworth	52
York	30
Total throughout the Province	224

The number of Counties holding regular Legal Aid Clinics has decreased for 1964, but the number of applicants has increased noticeably, particularly in York County.

Since more office space was made available to York County, Legal Aid evening clinics have been discontinued, but replaced by regular interviews conducted daily with more lawyers in attendance, thereby accommodating approximately one thousand more applicants over last year. Other Counties who do not hold regular clinics render assistance whenever required. As reported, no person held in custody is denied assistance.

During the last year, the Assistant Director made regular attendances at the penitentiaries in the Kingston area for the purpose of interviewing applicants for legal aid in these institutions. In 1964 the Assistant Director interviewed one hundred and twelve (112) applicants.

Assistance in criminal matters was provided in every County and District reporting.

With the information at our disposal, the following figures indicate legal work done in 1964:

APPLICATIONS	1964	1963	1962	1961
Civil	11,476	10,931	8,398	6,405
Criminal	3,251	2,338	1,990	2,300
AID				
Civil	10,284	10,300	7,210	5,303
Criminal	2,441	1,656	1,398	1,735

York County accounted for 9,217 applicants in civil matters, while aid was given in 8,745 cases; 1,457 applications were received in criminal matters, and aid was given in 1,245 cases. The great bulk of civil cases required advice only, or were otherwise disposed of in the clinic or in the office of the Assistant Director of Legal Aid.

During the last year Legal Aid defended thirty (30) persons accused of murder (11 in York County) and seven hundred and thirty-five (735) accused of other serious charges (338 in York County).

To the Chairman and members of the Legal Aid Committee I wish to extend my thanks for their guidance and counsel.

On behalf of the Committee and personally, I wish to thank the local Advisory Committees, Local Directors, and members of the profession generally for their contribution to the Legal Aid Plan.

"W. EARL SMITH"
MARCH 23, 1965 Provincial Director

JOINT COMMITTTEE ON LEGAL AID

The Treasurer referred to the Report of the Joint Committee on Legal Aid which was now in the hands of the Attorney-General, and on which the Attorney-General had read a statement in the Legislature.

The Treasurer stated that he had advised the Attorney-General that the Law Society would co-operate with the government to the fullest extent in implementing the report or those parts of it the government saw fit to adopt.

SPECIAL COMMITTEE ON THE LAW SOCIETY AMENDMENT ACT 1965

The Treasurer presented the Act as revised and presented to the Attorney-General.

THE REPORT WAS RECEIVED.

ONTARIO INTER-PROFESSIONAL LIAISON COMMITTEE

Mr. Howland presented a Report on the Ontario Inter-Professional Liaison Committee:

REPORT

RE: ONTARIO-INTERPROFESSIONAL LIAISON COMMITTEE

A further meeting of the above Committee was held on February 2nd, 1965 and the following are the principal matters which were dealt with: —

The Institute of Chartered Accountants it now officially represented on the Committee by Mr. Lancelot J. Smith.

Career Guidance — Mr. F. J. Clute, the Director of Guidance Service of the Ontario Department of Education, and Mr. Blake H. Goodings, the Director of Special Services of the Association of Professional Engineers were present at the meeting, which was devoted largely to the subject of career guidance. Stress was laid on the importance of education as to what is a profession. It was decided that the professions should participate in a special panel discussion during the specialists' course on career guidance this summer.

Last summer the Professional Engineers had a booth at the Canadian National Exhibition to give advice on the question of careers in the engineering field. They found that during the period of the Exhibition they talked to thousands of people including guidance counsellors, parents and students. In many instances they found that they were being asked for information about the other professions which they were not able to answer.

The matter of further professional participation in a joint "careers" booth was discussed.

The Chartered Accountants expressed their concern that they were now being treated as an industry for the purpose of The Workmens' Compensation Act.

"W. G. C. Howland"

THE REPORT WAS RECEIVED.

MAGNA CHARTA DAY, June 15, 1965

The Treasurer referred to suggestions which had been made that some formal recognition should be given to the 750th Anniversary of the signing of the Magna Charta on June 15,

1215. Following discussion it was moved by Mr. Wright, seconded by Mr. Steele, that the matter be referred to a Special Committee with power to act.

Carried.

The Treasurer appointed the following Special Committee on Magna Charta Day, June 15, 1965: Messrs. G. A. Martin (Chairman), Wright, Bruce and McLaughlin.

CONVOCATION, March 1966

The Treasurer announced, pursuant to Rule 8, that Convocation in March 1966 would be held on Friday, the 25th, for Call to the Bar.

CORRESPONDENCE

The Treasurer referred to the following correspondence:

Letter from the Treasurer thanking the Benchers for their expression of sympathy and flowers on the recent death of his father.

Letter from the Honourable G. A. Gale, Chief Justice of the High Court, thanking the Treasurer and Benchers for allowing the judges of the High Court to meet in Convocation Room on Monday, April 5th.

ORDERED that this correspondence be received and filed.

The Treasurer read to Convocation a letter from Mr. John F. Petch, who was called to the Bar on March 26th, expressing his appreciation for the awards of the Treasurer's Medal and the Law Society First Prize, and also for the training which he received in the Bar Admission Course. The letter was noted with great satisfaction.

CONVOCATION THEN ROSE.

J. D. ARNUP
Treasurer

MEETING OF CONVOCATION

FRIDAY, 21ST MAY 1965
10:30 a.m.

PRESENT

The Treasurer and Messrs. Ball, Beament, Bruce, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Keith, Levinter, G. A. Martin, W. S. Martin, McCulloch, O'Brien, Pattillo, Raney, Robins, Seaman, Sheard, Slemin, Steele, Strauss, Weir, Williston, R. F. Wilson and Wright.

Mr. R. F. Wilson, Q.C. was appointed Chairman.

ELECTION OF TREASURER

Mr. John Douglas Arnup, Q.C. was elected Treasurer for the ensuing year.

The Treasurer expressed to Convocation his continuing gratitude to all benchers and to the Society's entire staff for their unselfish and dedicated co-operation and hard work during the past year. He stated he was particularly gratified to record the progress achieved towards solution of the problems he had noted a year ago. The position of the Compensation Fund is much stronger. The matter of unpaid claims and how to deal with them has been thoroughly reviewed and the several methods adopted of improving our procedures are already showing good results. Our audit program has been intensified, with obvious success, and with little complaint from the profession. A new and satisfactory program of legal aid has been proposed. There is good reason to believe that our problems of space may be resolved in the foreseeable future.

Our problems continue to be varied and complex, but there is no reason to think that any of them is insoluble, provided the present level of work, interest and enthusiasm is maintained by all concerned.

The Treasurer announced to Convocation that this would be his last term in the office of Treasurer; and also that the Secretary would retire at the end of June 1966, but that both he and the Secretary would continue their interest in the Society and would be available for consultation with their respective successors.

He concluded by stating that no Treasurer could have asked for greater co-operation and assistance or more sound and sympathetic advice than he had received from the Secretary, and that so long as the Society existed, it would always owe a tremendous debt of gratitude to Mr. W. Earl Smith, Q.C.

The Minutes of the meeting of Convocation of the 23rd April 1965 were read and confirmed.

APPOINTMENT OF STANDING COMMITTEES

At the request of the Treasurer, Mr. Gray presented the Report of the meeting of the Treasurer, Chairmen and Vice-Chairmen of Standing Committees:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA in CONVOCATION ASSEMBLED

A meeting of the Treasurer and Chairmen and Vice-Chairmen of the Standing Committees as presently constituted was held on Thursday, the 20th May 1965, the Treasurer and Messrs. Ball, Ford, Gray, Gregory, Howland, Keith, Levinter, W. S. Martin, O'Brien, Robins, Seaman, Sheard, Steele and Weir being present, and they recommend that the constitution of the Standing Committees for the enusing year be as follows:

1. FINANCE COMMITTEE

Messrs. Bruce
Cassels
Clement
Common
Gray
Gregory
Harris
Howland
Keith
Levinter
Martin, W. S.
McLaughlin
Sheard
Slemin
Steele
Weir
Wilson, P. D.
Wilson, R. F.

2. LEGAL EDUCATION

Messrs. Ball
Creighton
Gregory
Howland
Jamieson
Keith
Pattillo
Robins
Seaman
Seymour
Sheard
Slemin
Starr
Weir
Williston
Wilson, R. F.

3. ADMISSSIONS

Messrs. Gregory
Howland
Jamieson
Pattillo
Robins
Sheard
Wilson, R. F.

4. DISCIPLINE

Messrs. Ball
Beament
Bruce
Common
Creighton
Ford
Gray
Harris
Howland
Keith
Levinter
Maloney
Martin, G. A.
McCulloch
McLaughlin
O'Brien
Pattillo
Rigney
Robins
Seymour
Slemin
Starr
Wilson, P. D.
Wilson, R. F.
Wright

5. PROFESSIONAL CONDUCT

Messrs. Fennell
Howland
Keith
O'Brien
Slemin
Strauss
Wright

6. LIBRARY

Messrs. Bruce
Cassels
Chitty
Common
Harris
Keith
Levinter
Maloney
Martin, W. S.
McCulloch
Slemin
Steele
Strauss
Williston
Wilson, P. D.

7. REPORTING

Messrs. Cassels
Common
Ford
Harris
Keith
Levinter
Maloney
Martin, G. A.
Martin, W. S.
McCulloch
McLaughlin
O'Brien
Strauss
Wilson, P. D.
Wright

8. UNAUTHORIZED PRACTICE

Messrs. Ball
Beament
Clement
Creighton
Fennell
Ford
Levinter
Martin, W. S.
Raney
Seaman
Seymour
Sheard
Slemin
Steele
Strauss
Weir
Williston

9. COUNTY LIBRARIES

Messrs. Ball
Beament
Clement
Creighton
Fennell
Harris
Martin, W. S.
McCulloch
Raney
Seaman
Seymour
Slemin
Steele
Strauss
Weir

10. PUBLIC RELATIONS

Messrs. Ball
Gray
Jamieson
Martin, W. S.
McCulloch
O'Brien
Pattillo
Raney
Weir
Wright

11. LEGAL AID

Messrs. Chitty
Common
Ford
Jamieson
Keith
Levinter
Maloney
Pattillo
Seymour
Steele
Strauss
Williston

12. CONTINUING EDUCATION

Messrs. Gray
Howland
Jamieson
Maloney
Martin, G. A.
O'Brien
Robins
Slemin

All of which is respectfully submitted.

Dated — May 20, 1965

"J. D. Arnup"
Chairman

Moved by Mr. Gray, seconded by Mr. Howland, that the Report be adopted.

Carried.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen and Vice-Chairmen.

ELECTION OF CHAIRMEN AND VICE-CHAIRMEN

Convocation having resumed, the Reports of the Standing Committees reporting the election of Chairmen and Vice-Chairmen were adopted.

1. FINANCE COMMITTEE
   - Chairman — W. P. Gregory
   - Vice-Chairman — Terence Sheard
2. LEGAL EDUCATION COMMITTEE
   - Chairman — W. G. C. Howland
   - Vice-Chairman — S. L. Robins
3. ADMISSIONS COMMITTEE
   - Chairman — Terence Sheard
   - Vice-Chairman — W. G. C. Howland
4. DISCIPLINE COMMITTEE
   - Chairman — Brendan O'Brien
   - Vice-Chairman — D. A. Keith
5. PROFESSIONAL CONDUCT COMMITTEE
   - Chairman — Peter Wright
   - Vice-Chairman — S. E. Fennell
6. LIBRARY COMMITTEE
   - Chairman — R. D. Steele
   - Vice-Chairman — W. S. Martin
7. REPORTING COMMITTEE
   - Chairman — G. W. Ford
   - Vice-Chairman — A. E. M. Maloney
8. UNAUTHORIZED PRACTICE COMMITTEE
   - Chairman — R. L. Seaman
   - Vice-Chairman — S. E. Weir
9. COUNTY LIRBARIES COMMITTEE
   - Chairman — L. M. Ball
   - Vice-Chairman — S. E. Fennell

10. PUBLIC RELATIONS COMMITTEE
    Chairman — W. S. Martin
    Vice-Chairman — A. S. Pattillo

11. LEGAL AID COMMITTEE
    Chairman — Isadore Levinter
    Vice-Chairman — R. D. Steele

12. CONTINUING EDUCATION COMMITTEE
    Chairman — S. L. Robins
    Vice-Chairman — W. G. Gray

STANDING COMMITTEE ON LEGISLATION AND RULES

The Treasurer suggested that in view of the large amount of work involved in the revision of the Professional Statutes and the Society's Rules, as well as the review of pending or proposed legislation, there might be a Standing Committee on Legislation and Rules.

Moved by Mr. Gregory, seconded by Mr. Ball, that a Standing Committee on Legislation and Rules be established, and that the Treasurer appoint such a Committee forthwith.

Carried.

The Treasurer appointed a Standing Committee on Legislation and Rules, composed of: Messrs. R. F. Wilson (Chairman), Common, Pattillo, Sheard and Williston.

APPOINTMENT OF AUDITORS

Moved by Mr. Gregory, seconded by Mr. Sheard, that Messrs. Clarkson, Gordon & Company be appointed Auditors of the Society for a period of one year from 1st July 1965.

Carried.

CANADIAN BAR ASSOCIATION

Mr. J. D. Arnup, Q.C. and Mr. S. L. Robins, Q.C. were appointed the Society's representatives on the Council of the Canadian Bar Association.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

Mr. J. D. Arnup, Q.C. was appointed the Society's representative on the Executive of the Conference of the Governing Bodies of the Legal Profession in Canada.

OSGOODE HALL LAW SCHOOL — *Affiliation with York University*

The Treasurer reported that discussions were continuing, and that earlier this week he and Mr. Howland had had a friendly and helpful interview with Dr. Murray Ross, President of York University, and Mr. Donald S. Rickerd, Registrar of York University.

The Treasurer reported to Convocation that the academic staff of the Osgoode Hall Law School have passed a resolution approving the affiliation in principle.

Moved by Mr. Ford, seconded by Mr. Howland, that Convocation approves in principle of the affiliation of the Osgoode Hall Law School with York University, on the understanding that definitive proposals will be submitted to Convocation.

Carried unanimously.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 20th May, 1965, at 3:30 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Keith, Seaman, Sheard, Starr and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Mrs. J. L. Boland, Mr. H. K. Boylan, Mr. C. Johnston and Mr. J. A. Shaul in the Real Estate and Landlord and Tenant Course.

OSGOODE HALL LAW SCHOOL

LEGAL WRITING PROGRAMME

The Dean submitted a memorandum from Professor P. S. A. Lamek dated 20th February, 1964, containing recommendations affecting the legal writing programme in the Osgoode Hall Law School. It has been approved in principle by the Faculty.

The Dean recommended in accordance with Professor Lamek's memorandum that three full-time teaching assistants be appointed to assist the operation of the legal writing programme.

Approved.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 20th May, 1965, at 3:00 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. S. L. Robins and R. F. Wilson.

United Kingdom Solicitors
Commonwealth Transfer
Direct Transfer

Your Committee considered applications under the above headings and made recommendations thereon.

Report of the Examining Board

The report of the examinations held in May, 1965, is before the Committee. The following candidates have passed:

Ross Beverly Eddy
John Michael Malone

Approved.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 20th May 1965, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Bruce, Common, Gray, Howland, Keith, Levinter, W. S. Martin and Steele.

Financial Statement — 1st July 1964 to 30th April 1965

Approved.

ROLLS AND RECORDS

The Secretary reports —

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

Harry M. Brown, Q.C., Hamilton	Called—18th June 1925 Deceased—12th March 1965
F. J. Chauvin, Windsor	Called—15th September 1949 Deceased—12th April 1965
C. H. Walker, Q.C., Toronto	Called—11th September 1924 Deceased—22nd April 1965
William H. Bicknell, Toronto	Called—18th November 1926 Deceased—2nd May 1965
Joseph M. Gould, Q.C., Toronto	Called—20th January 1938 Deceased—8th May 1965
Angus C. Heighington, Q.C. Toronto (Honorary Life Member)	Called—22nd May 1908 Deceased—9th May 1965
William T. McCallum, Q.C., Niagara Falls	Called—18th November 1937 Deceased—10th May 1965
Geoffrey W. Adams, Q.C., Toronto (Honorary Life Member)	Called—23rd May 1913 Deceased—11th May 1965
Tobias F. Forestell, Q.C., Welland	Called—21st June 1922 Deceased—11th May 1965

(2) *Disbarment*

That the following former member of the Law Society has been disbarred and struck off the rolls and his name has been removed from the rolls and records of the Law Society:

R. J. Jones, Oakville	Called—16th September 1948 Disbarred—23rd April 1965.

Noted.

The Secretary asks permission to remove the names of the following from the rolls and records of the Law Society on their own request:

Name	*Address*	*Date of Call*	*Remarks*
Cook, Alfred Frank	St. Marys	21/6/23	Retired
Currie, Helen Whitfield	Ottawa	24/11/21	Retired from practice
Dawson, John Lorne	Calgary	21/6/28	Out of jurisdiction
Forsyth, Gregory Rife	Calgary	23/6/55	Out of jurisdiction
Goodman, Samuel	Halifax	13/9/23	Out of jurisdiction
Haffa, Bertha Marie (Mrs. McCarney)	Oakville	24/9/52	Retired from practice
Jamieson, Gilbert Clement Adam	Calgary	30/9/55	Out of jurisdiction
Lightbourn, Alexander Harvey	Oakville	21/10/20	Retired
McCarthy, Dalton	Ottawa	17/6/20	Retired
Smith, Morice Goldwin	Chatham	15/2/23	Retired
Simpson, William Percy	London	16/10/24	Retired
Wegenast, Elsinor L. (Mrs. DeRoche)	Toronto	16/11/33	Retired from practice

Your Committee recommends that the Secretary be authorized to remove the names of those members set out above from the rolls and records of the Law Society on their own request.

REINSTATEMENT — *Peter L. Slaght*

Peter L. Slaght was suspended from practice for non-payment of fees, for one year from 23rd April 1965. A member of the Bar has now submitted a cheque for the total amount of arrears payable by Mr. Slaght and fees for the current year, and asks that he be reinstated.

Your Committee recommends that he be reinstated as a barrister and solicitor.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

Re Contribution — At the Mid-Winter Meeting of the Executive of the Conference of Governing Bodies held at the Seigniory Club, Montebello, on the 28th February, 1965, it was resolved that the Conference request for the year 1965 a contribution of $200.00 from the Law Society of Upper Canada, as in previous years.

Your Committee recommends that the request be granted.

Annual Meeting, Toronto, 1965

Pursuant to a custom established in 1958 by the Law Society of Upper Canada, your Committee recommends that the Law Society entertain at luncheon the members attending the annual meeting of the Conference of Governing Bodies.

Your Committee also recommends that the Conference of Governing Bodies be invited to hold its meeting at Osgoode Hall if it so desires.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

May 17th—The Advocates' Society — Meeting at 4:40 p.m. — Barristers' Lounge.

May 20th—County of York Law Association — Dinner Meeting — Convocation Hall and Barristers' Lounge.

The Lawyers Club has reserved the following dates for the year 1965-66:

1965—September 30th; October 21st; November 18th; December 16th (Beef Night).

1966—January 10th (Judges' Night); February 17th; March 17th; April 14th or 16th (Ladies' Night); May 19th.

Noted.

THE REPORT WAS ADOPTED

Moved by Mr. Gregory, seconded by Mr. Sheard, that pursuant to Section 45 of The Law Society Act, R.S.O. 1960, Chapter 207, the following Barrister and Solicitor be reinstated as of this date, and that his period of suspension from 23rd April 1965 be terminated forthwith:

Peter Lewis Slaght.

Carried.

Moved by Mr. Gregory, seconded by Mr. Sheard, that the Treasurer be authorized to appoint a special committee to make recommendations to Convocation as to the appointment of a Secretary to succeed Mr. W. Earl Smith as of July 1, 1966.

Carried.

The Treasurer appointed a Special Committee on the Appointment of a Secretary, consisting of Messrs. Arnup (Chairman), G. A. Martin, Howland and O'Brien.

DISCIPLINE COMMITTEE

Mr. O'Brien, Chairman, presented the following Reports of the Discipline Committee:

Re: Gerard Joseph Cecil Van Berkel

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he had failed to maintain at all times, and particularly in January 1965, sufficient money on deposit in his trust bank account to satisfy his indebtedness to clients for trust funds; and had failed to maintain the books and records required by Rules 7 and 8 of the Rules Respecting Accounts.

The Committee reported that it found the facts of each complaint to be established, but it was not completely satisfied that the solicitor realized his true position until it was brought to his attention by the Society's auditors.

Having given careful consideration to all of the evidence and the surrounding circumstances, and upon the solicitor undertaking not to engage in practice alone and to accept the offer of employment made to him by Mr. J. N. Desmarais, Q.C., and to inform the Society if he should change such employment, the Committee recommended that he be reprimanded in Convocation, and that so long as he complies with his undertakings no further action be taken in the matter.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

The solicitor attended with his counsel, Mr. J. G. J. O'Driscoll, who addressed Convocation briefly. Counsel admitted that the solicitor had been duly served with a copy of the Report, and that he agreed with it.

On questions by the Treasurer, the solicitor undertook not to practice alone without the express permission of the Law Society; to accept the offer of employment made to him by Mr. J. N. Desmarais, Q.C.; and to notify the Law Society of any change of employment or of address.

The Report was adopted.

The solicitor again attended before Convocation with his counsel and was reprimanded by the Treasurer.

Report on Compulsory Auditor's Certificate

To the Benchers of the Law Society of Upper Canada
in Convocation Assembled

The Discipline Committee begs leave to report:

In a report to Convocation on the 15th January 1965 your Committee reviewed the first ten years of operation of the Compensation Fund and related matters and made five recommendations which Convocation adopted. The fourth recommendation was that

> "Starting in the fall of 1965, members be required where applicable to file with the Society the certificate of an auditor containing as a minimum substantially the information required in the specimen certificate attached as Schedule 'A' to this Report."

Your Committee met on Wednesday the 19th May 1965 at 2:00 o'clock in the afternoon, the following members being present: Mr. O'Brien in the Chair and Messrs, Arnup, Bruce, Ford, Howland, Keith and R. F. Wilson. Your Committee gave careful consideration to the form of compulsory auditor's certificate and also drafted a Rule requiring the filing of the auditor's certificate or of a statutory declaration in lieu thereof in a proper case.

Your Committee recommends that the Rule be adopted. The form of auditor's certificate is a schedule of the recommended Rule.

It is further suggested by the Committee that if this report be adopted by Convocation a letter be sent forthwith to all members of the Society enclosing a copy of the Rule and such additional information as may be considered appropriate.

(Note: This Rule was amended at the meeting of Convocation on June 18th, 1965, and its text as amended will appear in the published minutes of that meeting.)

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

Carried.

ORDER

The Secretary placed before Convocation the following Order which is entered on the Minutes of Convocation:

IN THE MATTER OF RICHARD JAMES JONES—Order striking off the Rolls.

The Treasurer reminded Convocation that there would be two Convocations in June, a regular meeting on the 18th June, and a Convocation for the awarding of academic degrees on the 24th June 1965.

CONVOCATION ADJOURNED at 12:45 P.M.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Thursday the 13th May, 1965, at the hour of 10:00 o'clock in the morning, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien, Slemin and Strauss.

Your Committee considered the following Rulings:

Ruling 16 Telephone Directories
Ruling 18 Advertisements and Professional Cards
Ruling 19 Ontario Legal Telephone Book
Ruling 22 Announcements
Ruling 26 Canada Bonded Attorney

On the basis of the repeal of these Rulings your Committee recommends that the following proposed Ruling be published in a forthcoming part of the Ontario Reports with an invitation to the members to comment on it and that it should thereafter be considered by Convocation:

PROPOSED NEW RULING 16

1. No member shall authorize the insertion in the yellow pages of any telephone book published in Ontario of more than a single listing of name, address and number in normal type under the heading "Lawyers".
2. A member may circulate among the profession or among clients announcement cards pertaining to his practice which convey information of use to them such as a change of address or of personnel.
3. A member may insert a card, notice or such announcement in connection with his practice in any newspaper published in Ontario.
4. A member may insert a card, notice or announcement in connection with his practice in any law list, legal directory, professional or trade journal or similar publication when such publication has been approved by Convocation on such terms as Convocation may from time to time approve.
5. Such approval shall normally be on the recommendation of the Professional Conduct Committee and may be withdrawn at any time.

   (*Note*: It is the present intention of the Professional Conduct Committee to recommend the approval of the principal law lists now in use in the Province. As to any further names, the Committee would welcome specific suggestions from members.)
6. (a) In publications circulating generally outside the legal profession, the text in modest print shall contain no more than the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm, and the words "barrister-at-law", "bar-

rister and solicitor", "lawyer", "law office", "notary", "commissioner for oaths" or their plural where applicable, the address, telephone number, cable address, office hours, and any pertinent announcement when required.

(b) In publications of restricted circulation used by the legal profession there may appear in addition date and place of birth and admission to the Bar, schools attended with dates of graduation, degrees and other educational distinctions; war service and decorations; public or quasi public offices, posts of honour, legal authorships, legal teaching positions, memberships and offices in bar associations and committees thereof and in legal and scientific societies.

7. Notwithstanding the other clauses of this Ruling the Professional Conduct Committee may generally and in particular cases authorize other and additional publication.

If this Ruling is approved your Committee recommends the repeal of Rulings 16, 18, 19, 22 and 26.

Touting, Advertising and Attracting Business Unfairly

Your Committee continues its consideration of the general subject of touting and advertising and recommends that the following proposed Ruling be published in a forthcoming part of the Ontario Reports with an invitation for the members to comment upon it and thereafter it should be considered by Convocation:

PROPOSED NEW RULING 18

No member of the Society or firm of members shall engage in any activity for the purpose of touting or advertising his practice or attracting clients unfairly.

Proposed New Ruling on Notification of Breaches to the Society

A proposed Ruling was published in the Ontario Reports on February 12th, 1965, and led to a number of submissions by members of the profession and complaints that the fact that it was a new Ruling was not sufficiently brought to the attention of the members.

Your Committee has considered the submissions and complaints and recommends that the following amended proposed Ruling be published in a forthcoming part of the Ontario Reports with a further invitation to the members to comment on it and that it should thereafter be considered by Convocation:

PROPOSED NEW RULING
NOTIFICATION OF BREACHES TO THE SOCIETY

> It is proper for any member to bring to the attention of the Society any instance involving or appearing to involve professional misconduct or conduct unbecoming to a barrister, solicitor or student-at-law or reflecting on the honour of the Bar and it is the duty of every member to bring such instances to the Society's attention when they clearly involve shortage of trust funds.

The Treasurer stated that the Report would be considered paragraph by paragraph.

THE REPORT WAS ADOPTED

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 19th May, 1965, the following members being present: Messrs. Steele (Chairman), Keith, Levinter, McCulloch, W. S. Martin and Strauss.

County of York Law Association

Your Committee recommended, in its January 1965 report, that representatives of the County of York Law Association be asked to attend a meeting to discuss its request for assistance in the purchase of additional books for its library in the new York County court house. This meeting has been held and a list of books, to cost around $37,500.00, considered to be necessary, has been submitted by the Association and approved by the Chief Librarian. Your Committee recommends, in view of the importance of this library in the administration of justice in the Province of Ontario, that representations be made to the government for a grant of all or part of the amount required.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE—Mr. Ford

Your Committee met on Wednesday, the 19th May, 1965, the following members being present: Mr. G. W. Ford (Chairman), and Messrs. Common, Levinter, O'Brien, W. S. Martin and Strauss.

ONTARIO REPORTS—contract for printing

At its meeting on the 17th February, 1965 your Committee considered a memorandum covering the costs of the Ontario Reports from 1st January, 1956 to 31st December, 1964, and particularly for the period of the new contract which came into effect 1st January, 1961. Your Committee noted that this contract expires 31st December, 1965 and contains an option to renew. Your Committee recommended that the Chairman be authorized to confer with Canada Law Book Company Limited as to its views on the renewal of the contract, and on what terms, and to report back.

At its meeting on the 15th April, your Committee asked that this matter be considered at the May meeting of the Committee.

The Chairman invited Mr. W. B. Cartwright to be present at this meeting. The existing contract was discussed. The Chairman made reference to two complaints, namely:

1) slowness in the reporting of some Ontario judgments, and the fact that the number of cases reported is said to be insufficient;
2) the escalator clause in the contract which has brought up the costs in the last five years from approximately $32,000 to $39,000.

With respect to the slowness in reporting, and the fact that the number of cases reported is said to be insufficient, Mr. Cartwright informed the Committee that the problem is, in effect, a matter of dollars and cents. Mr. Cartwright reported that slowness in reporting is primarily because the Ontario cases are published first in the D.L.R.s to save costs in publishing the O.R.s, and that the scarcity of cases reported is because of the financial restriction placed on Canada Law Book by the contract providing that the annual costs (subject to the escalator clause) be not more than $32,000.

Mr. Cartwright stated that the escalator clause has increased the cost of reporting in the last five years, due to a 26% rise in the cost of labour, and a 10% rise in the price of paper.

Mr. Cartwright informed the Committee that the Canada Law Book Company has had to absorb the increase in editorial costs. By the contract the Society agreed to pay an editorial fee to the publisher of $6,750.00 per annum, rising to $7,950.00 in the final year. Editorial costs now exceed this sum.

The publisher has tripled advertising rates and also increased the number of sales of the O.R.s to persons who are not on the Rolls of the Law Society. This has resulted in a reduced cost to the Society of the Reports.

Mr. Cartwright pointed out that there are about 1500 pages a year being published at a cost per solicitor of approximately $7.00 per annum. Ten years ago the average cost per solicitor was approximately $11.00 per annum. He informed the Committee that if the contract price was to be increased from approximately $7.00 per solicitor per year, to approximately $9.00 per solicitor per year, Canada Law Book could in all probability, publish more cases, and publish them faster — say 1800 pages per year.

The Committee requested the Chairman to confer, informally, with other Law Book Companies who might be interested in printing the Reports and ascertain whether they would care to give the Law Society an estimate as to costs under a yearly contract and what provisions they would make for editing.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 21st May, 1965, the following members being present: Mr. R. L. Seaman (Chairman), Mr. S. E. Weir (Vice-Chairman), and Messrs. Ball, Beament, Creighton, Fennell, Ford, Levinter, W. S. Martin, McCulloch, Raney, Slemin, Steele and Strauss.

EUROPEAN NOTARIES

From time to time the Committee has considered correspondence from various solicitors alleging that European Notaries have been assisting new Canadians in obtaining divorces from their native countries, enabling them to remarry in Ontario without attending in Ontario divorce courts.

The Secretary was asked by the Committee to contact the Attorney General's Department to ascertain what steps, if any, were being taken to prevent Canadian immigrants from obtaining divorces from their domicile of origin, and subsequently receiving Ontario marriage licenses.

On April 30th, 1965, a meeting was held at Queen's Park at the request of Mr. F. L. Wilson, Department of the Attorney General. Mr. J. S. Yoerger, Q.C., the Deputy Provincial Secretary, and Mr. T. D. Thomson, Q.C., also attended.

The Secretary was asked to write a letter to the Attorney General's Department setting out the situation.

Your Committee approved the letter which was forwarded to the Attorney General's Department.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 21st May 1965, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Creighton, Harris, McCulloch, W. S. Martin, Raney, Seaman, Steele, Strauss and Weir.

ANNUAL GRANTS

Your Committee reports specially that the following law associations, having failed to file their annual returns by the 31st January, have now filed their annual returns for the year 1964 in accordance with Rule 103 and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to them as follows:

Brant	$ 1,275.00
Carleton	1,850.00
Kenora	600.00
Lanark	600.00
Lincoln	1,850.00
Northumberland & Durham	1,041.67
Norfolk	625.00
Parry Sound	600.00

PEEL ASSOCIATION

The application of the Peel Law Association for a loan of $3,600.00 was approved subject to the delivery of a bond as provided by Rule 105. Your Committee reports that a bond in the usual form has now been received.

COUNTY OF YORK ASSOCIATION

Your Committee has further considered the request by the County of York Law Association for assistance in the purchase of additional books required for its library in the new court house for the county and for an increase in its annual grant of $1,000.00 to cover the greater cost of maintaining it. Your Committee agrees that such an increase should be made but, in view of the importance of this library in the administration of justice in the Province of Ontario, recommends that representations be made to the government for an increase of $1,000.00 in its annual grant for the County of York Law Association.

NIPISSING ASSOCIATION

The Nipissing Association has applied for incorporation with the name "Nipissing Bar Association". Your Committee recommends, in view of the fact that the county associations are referred to in the Ontario Statutes only as law associations or law library associations, that the name proposed by the Association be not approved.

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on the 20th May 1965, the following members being present: Messrs. W. S. Martin (Chairman), Ball, Gray and O'Brien.

Mr. J. A. Cowan, Public Relations Consultant, was present by invitation.

PUBLIC RELATIONS PROGRAMME — *"Buying a Home? Why You Need a Lawyer"*

At the meeting of your Committee on the 22nd April 1965, Mr. Cowan presented a further report on the progress of the programme, with particular reference to the initial distribution in Ottawa, London and Sudbury. He also presented a draft of the letter of instructions to be sent to the Presidents of the three local Law Associations with reference to the organization of the programme. The Committee approved of the report and of the draft letter as amended by the Committee. The letter was sent to the Presidents of the three Law Associations on May 4th, and a shipment of folders was sent the following day.

The Presidents of the Carleton and Middlesex Law Associations have written to the Chairman assuring him of the cooperation of their Associations.

On May 17th the Chairman telephoned the three Associations, and reports that progress is being made.

Your Committee recommends that a follow-up letter be sent to the three Associations enclosing a check list of all details to be attended to in forwarding the project.

FUTURE PAMPHLETS

The Secretary was requested to write to the County and District Law Associations listing the pamphlets under consideration by your Committee, and asking for further suggestions.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON MAGNA CHARTA DAY,
June 15, 1965—Mr. G. A. Martin

At the meeting of Convocation of the 23rd April 1965 the Treasurer referred to suggestions which had been made that some formal recognition should be given to the 750th Anniversary of the signing of the Magna Charta on June 15, 1215. It was moved, seconded and carried that the matter be referred to a special committee with power to act.

The Treasurer appointed the following Special Committee on Magna Charta Day, June 15, 1965: Messrs. G. A. Martin (Chairman), Wright, Bruce and McLaughlin.

Your Committee met on the 12th May 1965, the following members being present: Messrs. G. A. Martin (Chairman), McLaughlin and Wright.

Your Committee recommends—

1. That the Treasurer and Benchers give a dinner on Magna Charta Day, June 15, 1965, either in the Benchers' dining room or Convocation Hall, depending on the number present.

2. That the following guests be invited:
   The Honourable John P. Robarts, Q.C.
   Prime Minister of Ontario.
   The Honourable Dana H. Porter,
   Chief Justice of Ontario.
   The Honourable George A. Gale,
   Chief Justice of the High Court.
   William R. Allen, Esq., Q.C.
   Chairman, Municipality of Metropolitan Toronto.
   His Worship Mayor Philip G. Givens, Q.C.
   His Honour, Judge A. R. Willmott,
   Chief Judge, County and District Courts.
   His Honour, Judge Robert Forsyth,
   Senior Judge, County of York.
   Magistrate A. O. Klein, Q.C.
   Chief Magistrate for Ontario.
   The Honourable James C. McRuer, Q.C., LL.D.,
   Commissioner,
   Royal Commission, Inquiry into Civil Rights.

Andrew E. Thompson, Esq., M.P.P.,
Leader of the Liberal Party, Ontario Legislature.
Donald C. MacDonald, Esq., M.P.P.,
Leader of the New Democratic Party,
Ontario Legislature.

3. That Mr. Joseph Sedgwick, Q.C., be invited to be the speaker on this occasion.
4. That the Secretary write to the editors of the three Toronto papers, the Canadian Press, and the C.B.C. telling them of the occasion, and inviting them to send reporters and photographers.
5. That the Secretary write to the Minister of Justice, the Attorney-General of Ontario, the Mayor of Toronto, the Canadian Broadcasting Corporation, the Canadian Press, the three Toronto papers, and the editors of all other daily newspapers in Ontario, pointing up the 750th Anniversary of Magna Charta with the hope that broad publicity will be given to the occasion.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON THE CORONERS ACT

— Mr. Williston

The SPECIAL COMMITTEE ON THE CORONERS ACT begs leave to report:

At the meeting of Convocation on the 18th September 1964 the Treasurer read letters from the College of Physicians and Surgeons of Ontario and the Ontario Medical Association requesting the views of the Law Society on the Coroners Act and related subjects. It was resolved that the matter be referred to a special committee to be appointed by The Treasurer, and he appointed a Special Committee on The Coroners Act consisting of Messrs. Williston (Chairman), Fennell, Gray, Keith and O'Brien.

Your Committee met on the 9th October, Messrs. Williston (Chairman), Gray and O'Brien being present; on the 29th October, Messrs. Williston (Chairman), Fennell, Gray and O'Brien being present; and on 8th December 1964, Messrs. Williston (Chairman), Fennell, Gray and Keith being present.

At the meeting on 29th October there were present by invitation of your Committee Mr. Harvey F. McCulloch, Q.C., Crown Attorney, Hamilton; Dr. J. C. C. Dawson, Registrar of the College of Physicians and Surgeons of Ontario; and Dr. R. S. Duggan, President, Dr. Glenn Sawyer, Secretary, and Mr. A. K. Gillies, Executive Secretary, respectively, of the Ontario Medical Association.

Your Committee received and considered a large amount of material, including eight valuable articles from Dr. H. B. Cotnam, Supervising Coroner of Ontario; the relevant Statutes of other Canadian provinces; a letter from the Secretary of the Canadian Bar Association enclosing "Coroners Inquests Across Canada", a Review for the National Council on the Administration of Justice in Canada; a letter from the Secretary of the Bar of the Province of Quebec, and a memorandum of the General Council of the Bar of the Province of Quebec respecting The Coroners Act, January 1964; Reports on the Coroners System, Interim and Final, by a Committee appointed by the Attorney General 1960, Mr. Eric Silk, Q.C., Chairman; and letters from the Administrative Secretary of the American Bar Association, and from Sir Thomas Lund, Secretary, The Law Society, England, enclosing a booklet "Deaths in the Community".

At the meeting of 8th December 1964 the Secretary reported to your Committee that other bodies inquiring into this problem are —

(1) The National Council on the Administration of Justice in Canada;

(2) The Canadian Bar Association, Section on Civil Justice.

At that meeting your Committee recommended that further investigations stand until the Committee knows exactly what these other bodies are doing, and whether either of them is going to make a real investigation and report which could form the basis of any recommendations that should be made to the relevant bodies including the Royal Commission to Inquire Into Civil Rights.

The Chairman of your Committee has made further investigations of the action taken by the National Council on Administration of Justice in Canada, and in a letter of May 4, 1965 reported in part as follows:

> *"Re: Special Committee on The Coroners Act*
>
> This morning I had an opportunity to discuss this matter with Mr. Pattillo.

As you know, Mr. Pattillo is a member of the National Council for the Administration of Justice in Canada. The Chairman is Mr. Louis Phillip Pigeon. This Council, which was created under the aegis of the Canadian Bar Association, is composed of three members appointed by the Minister of Justice, three members appointed by the Attorney General for each of the provinces, and seven members appointed by the Canadian Bar Association. The Committee meets twice a year.

Last year the National Council appointed Mr. Pattillo a committee of one to ascertain and report on the present law respecting Coroners throughout Canada. Mr. Pattillo obtained the statutes from each province in Canada and prepared a statement of the practice followed in each province. He correlated these statutes and statements into one document entitled "Coroners' Inquests Across Canada" for presentation to the National Council. Mr. Pattillo already furnished you with a copy of this document.

In September of 1964 the General Council for the Bar of the Province of Quebec proposed a number of recommendations respecting Coroners. You already have a copy of these recommendations. They were submitted to the meeting of the National Council on the Administration of Justice in Canada held in September of 1964. At the same time, Mr. Pattillo submitted his report.

The result was that the National Council appointed a Committee to consider Mr. Pattillo's report and the recommendations of the Bar of the Province of Quebec. Mr. Pigeon was made Chairman of this Committee. At the December meeting of the National Council held in Quebec City, the Committee brought in a statement of principles respecting the conduct of coroners inquests. The Committee unanimously agreed to a number of the principles, but there was disagreement on some. On the question of the publicity to be given to a coroner's inquest, there was serious disagreement in principle.

The result was that Mr. J. E. Hart, Deputy Attorney-General for Alberta, was asked to communicate with the appropriate authorities in the English-speaking countries throughout the world to ascertain the practice in such countries. He is to report in September of 1965. At that time it is believed that the National Council for the Administration of Justice in Canada will bring down a report setting out the principles which it considers appropriate to be followed. In the meantime, the proposed statement of principles has not been released.

In view of this situation, it is my opinion that our Committee should do nothing further until the National Council for the Administration of Justice in Canada has delivered its report. . . ."

The four other members of your Committee approve of the Chairman's recommendations as set out in the last sentence quoted above, and your Committee so recommends to Convocation.

Your Committee is of the opinion that another reason for not doing anything further at the present time is that the Committee has been informed by Mr. R. S. W. Campbell, Chairman of the Ontario Section on Civil Justice, Canadian Bar Association, that at the Annual Meeting of the Canadian Bar Association to be held in Toronto in September 1965, there will be a panel discussion which will deal with the question of coroners throughout Canada.

THE REPORT WAS ADOPTED

Supreme Court and County Court Extended Sittings

The Treasurer referred to recent correspondence with the Attorney-General concerning a submission by the Municipality of Metropolitan Toronto that the County and Supreme Courts be required to remain open throughout the entire year.

Moved by Mr. Williston, seconded by Mr. Pattillo, that the Treasurer be authorized to inform the Attorney-General that the Law Society would be willing to send representatives to any conference the Attorney-General might wish to call.

Carried.

Opening of the New City Hall

The Treasurer informed Convocation that the Mayor of Toronto had asked permission to set off fire works on the south east corner of the Society's lawn on the formal opening in September.

Moved by Mr. Steele, seconded by Mr. Ball that the matter be referred with power to act to the Treasurer, Chairman and Vice-Chairman of the Finance Committee.

Carried.

CORRESPONDENCE

The Treasurer referred to the following correspondence:

Letter from the Rt. Honourable the Earl of Harewood thanking the Treasurer and Benchers for their expression of sympathy on the death of his mother, Her Royal Highness the Princess Royal, a Bencher of this Society.

Letter from Mrs. C. H. Walker thanking the Treasurer and Benchers for their expression of sympathy in the Minutes of Convocation of April 23rd, on the death of her husband, C. H. Walker, Q.C., counsel for the Law Society.

Letter from A. M. Kirkpatrick, Executive Secretary, John Howard Society of Ontario, thanking the Treasurer and Benchers for permission to hold their Annual Dinner Meeting in Convocation Hall on the 27th April.

ORDERED that this correspondence be received and filed.

CONVOCATION THEN ROSE

Read in Convocation and confirmed this 18th day of June 1965.

J. D. ARNUP,
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 18TH JUNE 1965
10:30 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Bruce, Chitty, Clement, Common, Creighton, Fennell, Ford, Gray, Gregory, Howland, Jamieson, Keith, Levinter, W. S. Martin, McCulloch, O'Brien, Raney, Robins, Seaman, Sheard, Slemin, Starr, Steele, Strauss, Weir, Williston and Wright.

The Minutes of Convocation of the 21st May 1965 were read and confirmed.

MAGNA CHARTA DAY, 15TH June 1965

The Treasurer reported to Convocation on the excellence and appropriateness of the Magna Charta Dinner and on the presentation of the very handsome silver cigar box to commemorate this day.

OSGOODE HALL LAW SCHOOL — Affiliation with York University

The Treasurer reported that this matter was still under serious consideration.

RULES COMMITTEE

Moved by Mr. Ball, seconded by Mr. Gregory, that Mr. J. J. Robinette, Q.C., Mr. R. F. Wilson, Q.C., and Mr. Gordon D. Watson, Q.C., be appointed the Society's representatives on the Rules Committee for a period of three years from the 1st July 1965.

Carried.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 17th June 1965, at 3:45 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Keith, Seaman and Sheard.

Bar Admission Course

Faculty

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Messrs. J. T. Eyton, J. D. Ground, and M. Barkin, in the Corporation Law Course; Mr. A. A. Strauss in the Real Estate Course; and Messrs. Stephen Borins, R. I. Cartwright and M. A. Catzman in the Civil Procedure I Course.

Osgoode Hall Law School

Examination Results — Spring, 1965

Post-Graduate Studies

The Faculty at its meeting on Thursday, 17th June 1965, considered the reports of the external examiners on the thesis submitted by the candidate for the degree of Master of Laws, and the following candidate, having complied with the requirements prescribed for advanced study at the Osgoode Hall Law School, was recommended for the Master of Laws degree:

John Joseph Cavarzan — "Civil Liberties and the Supreme Court: The Image and the Institution".

Third Year LL.B. Course

There were one hundred and thirty-six (136) students who were entitled to write the Spring Term examinations. The complete returns are as follows:

Medals

Silver Medal — A. R. A. Scace

Honours

The following student having passed all examinations and obtained at least 75% of the aggregate marks obtainable is entitled to pass with Honours:

A. R. A. Scace

SUMMARY AND COMPARATIVE ANALYSIS

	Spring, 1964	Spring, 1965
Honours	3	1
Pass Class I	19	28
Pass Class II	75	94
	97	123
Aegrotat	1	1
Supplementals	7	12
	105	136
Failures	2	0
	107	136

Your Committee received the Faculty's report.

LEGAL WRITING PROGRAMME

At its meeting on 20th May 1965, the Committee approved the Dean's recommendation that three full-time teaching assistants be appointed to assist in the operation of the Legal Writing Programme for the academic session 1965-66.

The Committee approved the Dean's recommendation that Mr. Mohan Anand Prabhu, M.A., LL.B., LL.M. be appointed a full-time teaching assistant to assist in the operation of the Legal Writing Programme as of 7th June 1965.

SCHOLARSHIPS — SECOND YEAR

At its meeting on 14th January 1965, the Committee accepted with appreciation the capital sum of $10,000 from Roland O. Daly, Esq., Q.C., to be used to found a scholarship for the student standing first in the Second Year in Osgoode Hall Law School. It is the donor's wish that the Scholarship be awarded annually in the sum of $500.00 and that if the capital sum invested does not produce $500.00 annually the capital should be encroached upon to the extent necessary to make up the deficiency.

Approved.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 17th June 1965, at 4:30 p.m., the following members being present: Mr. Terence

Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Mr. S. L. Robins.

CALL TO THE BAR AND CERTIFICATES OF FITNESS

The Committee reported on one Osgoode Hall Law School graduate and on transfer from other Provinces.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-Law was conferred upon them:

Ross Beverly Eddy — Special — Alberta

Albert Bernard Jackson — Osgoode Hall Law School Graduate 1936

John Michael Malone — Special — Saskatchewan

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 16th June 1965, the following members being present: Messrs. Sheard (Vice-Chairman) in the Chair, Bruce, Gray, Howland, Keith, W. S. Martin and Steele.

FINANCIAL STATEMENT — *1st July 1964 to 31st May 1965 — Approved.*

ROLLS AND RECORDS

The Secretary reports —

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

Thomas Charlebois, Alexandria	Called—17th June 1920; Admitted—20th January 1921; Deceased—13th May 1965.

Reginald H. M. Temple, Q.C., Hudson, P.Q. (Honorary Life Member)	Called—5th February 1901; Deceased—15th May 1965.
David L. G. Jones, Q.C., Hamilton	Called—17th January 1946; Deceased—7th June 1965.

Noted.

The Secretary asks permission to remove the names of the following from the rolls and records of the Law Society on their own request:

Name and Address	*Date of Call and Remarks*
Davis, Sulle Harvey St. Petersburg, Fla.	21/5/36 Permanent resident of Florida.
Egan, William Michael Hollywood, Fla.	16/9/20 Out of jurisdiction.
Gelber, Edward Elisha Israel	20/6/35 Out of jurisdiction.
Montrym, Mrs. Stephanie J. San Francisco, Cal.	25/6/59 Out of jurisdiction.
Reid, James Winston Fredericton, N.B.	11/9/24 Out of jurisdiction.
Yeates, Ralph Howard Willowdale, Ont.	16/10/19 Not practising law.

Your Committee recommends that the Secretary be authorized to remove the names of those members set out above from the rolls and records of the Law Society on their own request.

ARREARS OF ANNUAL FEES

W. D. L. Roach of Preston is in arrears for fees for two years.

Your Committee recommends that W. D. L. Roach be suspended for a period of one year for non-payment of fees.

CHANGE OF NAME

Irving Shaul Lindzon — is entered on the rolls and records of the Law Society as *Irving S. Lindzon.* He has filed a Petition asking that his name be entered in full on the rolls of the Society as Irving Shaul Lindzon.

Your Committee recommends that the petition be granted.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

May 26th — Ontario Subsection of the Criminal Justice Section, C.B.A., request permission to use the Barristers' Lounge at 8.00 p.m.

June 2nd) — Wills and Trust Subsection, C.B.A., request
June 16th) permission to use the Lawyers Lounge at 5.15 p.m.

Noted.

BURSARIES

In September 1964, the Secretary received correspondence from Mr. H. H. Seigal, Q.C., one of the Executors of the Estate of Harry R. Rose, deceased, advising that the will of the late Harry R. Rose provided the following legacy:

> "To pay to the LAW SOCIETY OF UPPER CANADA, the sum of $5,000.00, to the intent that such sum shall be invested by the Law Society of Upper Canada in such manner as it shall see fit, and the income therefrom shall form an annual scholarship to be named as "The Harry R. Rose Criminal Law Prize" and shall be paid to the student receiving the highest mark in the criminal law course at Osgoode Hall;"
>
> The Secretary received a cheque for $5,000.00.

Your Committee recommends that the investment of this amount be left to the discretion of the Chairman.

THE REPORT WAS ADOPTED.

Moved by Mr. Gregory, seconded by Mr. Sheard, that the names of those persons set out above who have so requested and as they appear in the Finance Committee Report of this date, be removed from the rolls and records of The Law Society at their own request and that the necessary notations be made on the rolls.

Carried.

ARREARS OF ANNUAL FEES — *Motion to Suspend*

Moved by Mr. Sheard, seconded by Mr. Gray, that pursuant to The Law Society Act, R.S.O. 1960, cap. 207, the following

Barrister be and he is hereby suspended from practice for a period of one year from this date:

W. D. L. Roach

Carried.

DISCIPLINE COMMITTEE—Mr. O'Brien

RE: PETER LEWIS SLAGHT

The Chairman presented the Report of the Discipline Committee and read a letter of 17th June 1965 from the Solicitor.

Moved by Mr. O'Brien, seconded by Mr. Ball that the Report be adopted.

The Solicitor attended and addressed Convocation and read a memorandum dated 18th June 1965 and asked that in place of the recommendation of disbarment, he be permitted to have his name removed from the rolls and records of The Law Society on his own request; and asked leave to engage counsel to present argument on the question of jurisdiction, among other points, on his undertaking that in the meantime he will not practise as a Barrister or Solicitor.

Moved in amendment by Mr. Ford, seconded by Mr. Keith, that the Report be referred back to the Discipline Committee for further consideration and amendment; that the Solicitor be notified of the date set for the further hearing when he may attend with counsel; that the amended Report be served on the Solicitor and considered at the meeting of Convocation on 17th September 1965; on the Solicitor's undertaking that in the meantime he will not practise as a Barrister or Solicitor.

The amendment was carried.

REPORT ON COMPULSORY AUDITOR'S REPORT AND RULE

Your Committee recommended to Convocation on the 21st May 1965 the adoption of a Rule requiring every member of the Society on or before the 30th November in each year to file with the Society either a certificate duly completed by a public accountant in the form which was made a schedule to the Rule or a statutory declaration setting forth that during the preceding 12 month period the member had not handled or been responsible for any clients' trust funds or clients' valuables. This report was adopted.

Your Committee met on the 16th June 1965 at 10:30 o'clock in the morning, the following members being present: Mr.

O'Brien, Chairman, and Messrs. Bruce, Common, Ford, Gray, Howland, Keith, Levinter, G. A. Martin, Starr and Wright.

Since the meeting of Convocation in May your Committee has been advised by the Institute of Chartered Accountants of Ontario that, from their point of view, they would prefer the form of auditor's report if certain changes were made in it. Your Committee has given careful consideration to the suggested changes and recommends that the Rule be amended by changing the word "certificate" in the third line thereof to the word "report" and by adding after the word "accountant" in the fourth line thereof the words "and signed by the member", and that Schedule "A" to the Rule be in the form attached as part of this Report.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report and the new Rule attached thereto, be adopted.

Carried.

NOTE: The form Schedule "A" has been sent to all members of the Society. Copies available at the Secretary's office.

RULE

As a condition of receiving his annual certificate enabling him to practise, every member of the Society shall on or before the 30th day of November in each year file with the Society either a report duly completed by a public accountant and signed by the member in the form annexed as Schedule "A" or a statutory declaration setting forth that during the preceding 12 month period he has not handled or been responsible for any clients' trust funds or clients' valuables.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Thursday, the 3rd June 1965, at the hour of 10:00 o'clock in the morning, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. O'Brien and Strauss.

1. RULING 9 — DISBARRED PERSONS

Your Committee considered a recommendation from the Unauthorized Practice Committee relating to members sharing office space with former members who have been disbarred and as a result now recommends that Ruling 9 be amended by the addition of the words "occupy office space with," immediately after the word "retain," in the second line thereof.

3. Ruling 12 — Letterheads
Ruling 29 — Firm Name

The whole question of Firm Names and Letterheads will receive further consideration at the Committee's next meeting. A proposed new Ruling relating to judges' names in firm names and letterheads will be before it then.

Your Committee recommends that the question of a uniform Rule with respect to firm names be referred to the Conference of the Governing Bodies for the attention of the Professional Conduct Committee.

4. Ruling 32 — Duty to Meet Financial Obligations

Your Committee considered a letter from A. T. Jousse, Esq., M.D., regarding the difficulty medical doctors encounter in some cases in trying to collect their fees for services to a patient in connection with an action for damages for injuries. Your Committee considered that the situation the Doctor referred to was covered by Ruling 32 and invited him to bring to the Society's attention any apparent breaches of the Ruling.

5. Miscellaneous

(a) Degree of Barrister-at-Law — Abbreviations "BAR.L." or "B.L."

At its meeting of the 20th May 1965, the Legal Education Committee recomended, and Convocation subsequently confirmed, that the question of the Degree of Barrister-at-law being indicated by the abbreviation "BAR.L." or "B.L." after members' names, be referred to the Professional Conduct Committee.

Your Committee considered the matter and recommends that the use of the suggested abbreviations be not approved.

(b) In dealing with questions from members, your Committee has —

(i) Informed a member that it would be contrary to section 4 of Ruling 31 for him to allow a Trade Union for whom he acts to publish to its members the availability of his services at a flat rate per person for advice given;

(ii) Expressed the opinion to a member that it would be unprofessional and contrary to Ruling 28 for him to participate in an arrangement with a collection service that its customers pay it in advance a fixed fee to insure that all the customers accounts if necessary would be referred to the member without further payment for legal services by the customer, it being understood that the collection service would retain a portion of the fixed fee;

(iii) Referred a member to section 3 of Canon 4, of Ruling 1, and advised him that in the Committee's opinion it would be improper for a solicitor acting for a plaintiff in litigation to discuss the case with an insurance adjuster representing the insurer of the defendant when a solicitor has entered an appearance to the litigation, but that it would not be improper for a solicitor acting for a defendant in the litigation to agree to specific arrangements which would permit an insurance adjuster to see the plaintiff's solicitor and discuss and complete settlement of the case;

(iv) Informed a member that it is permissible for him to take back mortgages on property as security for his fees;

(v) Told a member that in the Committee's opinion it is not in keeping with the dignity of the profession for him to put at the bottom of his standard fee billing form "Six percent per annum charged on outstanding balance of accounts not paid within sixty days";

(vi) RE: RULING 10 — SIGNS

On the 23rd April 1965, Convocation approved a new Ruling governing the size of the lettering on member's signs and limiting the words which may appear on it. Your Committee has begun a survey of lawyer's signs, particularly within Metropolitan Toronto, and apparent breaches of Ruling 10 will be reported to the Committee. The members involved will be notified that their signs have been reported and given an opportunity to make representations.

(vii) In view of articles appearing in the press with regard to firms in other professions based on interviews with partners the Committee recommends that Ruling 1 Article 5(3) should be brought to the attention of the profession by a notice in the Ontario Reports. So far as relevant it reads:

> "Indirect advertisement for business by furnishing or inspiring newspaper comment concerning causes in which the lawyer has been or is connected, or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the lawyer's position, and

like self-laudations defy the traditions and lower the tone of the lawyer's high calling, should not be tolerated."

Moved by Mr. Wright, seconded by Mr. Fennell, that the Report be adopted.

The Treasurer announced that in view of the importance of the recommendations in the Report it would be considered clause by clause.

Paragraph 1 — RULING 9 — DISBARRED PERSONS — *Approved.*

Paragraph 3 — RULING 12 — LETTERHEADS — *Approved.*
RULING 29 — FIRM NAME — *Approved.*

Paragraph 4 — RULING 32 — DUTY TO MEET FINANCIAL OBLIGATIONS — *Approved.*

Paragraph 5 — MISCELLANEOUS
(a) DEGREE OF BARRISTER-AT-LAW — Abbreviations "BAR.L." or "B.L."
(b) Dealing with questions including a recommendation that Ruling 1 Article 5(3) be brought to the attention of the profession by a notice in the Ontario Reports.

Approved.

THE REPORT WAS ADOPTED.

CONVOCATION ADJOURNED AT 1.00 P.M.

CONVOCATION RESUMED AT 2.15 P.M., A QUORUM BEING PRESENT.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 16th June 1965, the following members being present: Messrs. Steele (Chairman), W. S. Martin (Vice-Chairman), Common and Strauss.

Your Committee reported on certain staff changes and on the purchase of Library equipment.

Approved.

STANDING COMMITTEES

The Committee discussed the "work load" of the Benchers. On motion unanimously resolved the Committee recommends that Convocation consider the appointment of a special committee to consider a merger of the Library, County Libraries and Reporting Committees, and generally to consider the constitution and organization of all standing committees and report to Convocation.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE—Mr. Ford

Your Committee met on Wednesday, the 16th June 1965, the following members being present: Mr. G. W. Ford (Chairman), and Messrs. Common, W. S. Martin, Wright and Strauss.

ONTARIO REPORTS — Contract for printing

At its May meeting, the Chairman invited Mr. W. B. Cartwright of Canada Law Book Company Limited, to be present to discuss the existing contract which expires 31st December 1965 and contains an option to renew.

Your Committee recommends that Convocation approve the following five statements of principle:

1. The Society should publish no more Ontario cases than our editors deem necessary.
2. Only those cases that deserve full coverage should be given full coverage.
3. The Society should continue to purchase the Canada Law Reports for all its members.
4. The Society should not aim at increasing the number of pages in the O.R. to 1800, unless the increase is necessary to publish worthwhile decisions.
5. All Ontario cases should be printed first in the Ontario Reports, if publication does not increase the printing costs by too great an amount.

Your Committee further recommends that Convocation authorize the Chairman to confer with any other law book companies interested in printing the Reports, to ascertain whether they would care to give the Law Society an estimate as to costs under a yearly contract and what provision they would make for prompt publication and for editing.

Law Society of Upper Canada — Standing Committees (Construction and reorganization)

The Committee discussed the fact that a number of Benchers are compelled to give a great deal of time to attendance at numerous committee meetings, and recommended that a merger of the Library, County Libraries and Reporting Committees be considered.

On a motion unanimously carried, the Committee resolved that Convocation be asked to appoint a special committee to consider the construction and reorganization of the Standing Committees of the Society; the special committee to make such recommendations as it sees fit.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE

Mr. Seaman, Chairman, reported orally on several matters before the Committee.

The Report was received.

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 18th June 1965, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Creighton, W. S. Martin, Raney, Seaman, Slemin, Steele, Strauss and Weir.

Annual Grants

Your Committee reports specially that the following law associations, having failed to file their annual returns by the 31st January, have now filed their annual returns for the year 1964 in accordance with Rule 103 and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to them as follows:

Halton ($1277.00 less deduction for loan $400.00)	$ 877.00
Huron	622.64
Lennox and Addington	600.00
Peel	1,342.00
Peterborough	800.00
Sudbury	1,850.00
Thunder Bay	1,270.00
Wellington	1,225.00

The annual returns for the County of Simcoe Law Association were not received until after the 30th May but the Association asks that the penalty provided for by Rule 104(3) be not imposed. Your Committee recommends, this Association's returns having now been received, and in view of the fact that the provision for a penalty after the 30th May has been in force only since the 1st January 1965, that the penalty under Rule 104(3) be not imposed and that the grant based on the returns for the year 1964 be $1,428.00 instead of $1,285.20.

STANDING COMMITTEE

Your Commitee recommends that a special committee be appointed to consider, in particular, the merger of the Library, Reporting and County Libraries Committees and, generally, reconstitution of the committees of the Society.

ANNUAL RETURNS

The Lampton, Nipissing and Sault Ste. Marie Associations being still in default in sending in their annual returns, your Committee recommends that letters be sent to all their members bringing this to their attention and pointing out that Rule 104(3) provides for the reduction of their grants by ten per cent.

Chief Librarian

Your Committee reports that it has invited the Chief Librarian to attend its meetings after his retirement; and wishes to record its appreciation to Mr. Johnston for his many contributions as Chief Librarian and recommends that he be elected an Honorary Member of the Committee.

THE REPORT WAS ADOPTED.

GEORGE A. JOHNSTON, Q.C., CHIEF LIBRARIAN

The following resolution was moved by Mr. Ball and seconded by Mr. Weir:

WHEREAS Mr. George A. Johnston, Q.C., is retiring as Chief Librarian of The Law Society of Upper Canada after 26 years in that position.

BE IT RESOLVED that all members of Convocation extend to Mr. Johnston their hearty thanks and deep appreciation for his most capable supervision and his untiring, cheerful and courteous co-operation in the discharge of his duties.

Carried unanimously.

ONTARIO INTERPROFESSIONAL LIAISON COMMITTEE

Mr. Howland presented a Report on the Ontario Interprofessional Liaison Committee:

REPORT OF INTERPROFESSIONAL LIAISON COMMITTEE

A further meeting of the Interprofessional Liaison Commitee was held on 29th April 1965.

Panel Discussion — Department of Education Summer Course

Representatives of the profession are to conduct a panel discussion on professionalism in July at the Department of Education Summer Course in Career Guidance. A representative of the legal profession is to be asked to speak briefly on the essential nature of a profession. This will be followed by a discussion on such matters as what are the particular talents and facets of character required for each of the professions, and what are the needs of the various professions within the next ten year period.

Joint Careers Information Centre — C.N.E.

Almost all of the professions indicated their willingness to participate in such a Centre. It was felt desirable that the matter should not be proceeded with this year and that it should be reassessed after it had been studied in more detail. Consideration is being given to the possibility of assisting in the training of career guidance teachers instead of direct counselling of students.

The Workmen's Compensation Act

The chartered accountants have been concerned as a result of their members having been made subject to The Workmen's Compensation Act. The Ontario Institute of Chartered Accountants has had a very low incidence of claims which might come under the Act and was disturbed that it has been proposed to charge them .15¢ per $100. whereas they can get coverage for 3.3¢ per $100. of wages. They learned in the course of their discussions that it was intended to place other professions under the Act including the legal profession. The Law Society has requested an appointment with the Attorney General to make representations that members of the legal profession should not be subject to The Workmen's Compensation Act.

Collective Bargaining

It is anticipated that the Provincial Government may be enacting legislation with reference to collective bargaining for members of the various professions. It is also contemplated that Federal legislation is to be enacted which will give various groups of Civil Servants, including professional groups, the right to collective bargaining. This is a matter which has been of concern particularly to the Professional Engineers. The next meeting of the Committee to be held on June 24th is to be devoted to this subject. The views of counsel are being obtained.

THE REPORT WAS RECEIVED.

THIRD COMMONWEALTH AND EMPIRE LAW CONFERENCE

Moved by Mr. W. S. Martin, seconded by Mr. Levinter, that Mr. D. Park Jamieson, Q.C., and Mr. Brendan O'Brien, Q.C., be designated as the official representatives of The Law Society of Upper Canada to the Third Commonwealth and Empire Law Conference to be held in Sydney, Australia from 25th August to 1st September 1965.

Carried.

OSGOODE HALL EXTENSIONS

The Treasurer reported that the Committee of the Chief Justices of Ontario at its last meeting on 11th June had considered a plan for an extension to the west wing and a tower of nine stories on the west lawn, and that a further meeting of the Committee would be held on 21st June.

Moved by Mr. Gray, seconded by Mr. Bruce, that Convocation record its view that it would approve any addition to the west wing of Osgoode Hall in keeping with the present building, but does not approve of a nine storey building on the west lawn.

Carried unanimously.

CORRESPONDENCE

The Treasurer referred to the following correspondence:

Letter from the Honourable G. A. Gale, Chief Justice of the High Court, thanking the Treasurer and Benchers for having his portrait painted and for the unveiling and reception on 1st June 1965.

Letter from John D. Falconbridge, Q.C., M.A., LL.D., Dean Emeritus, Osgoode Hall Law School, thanking the Treasurer and Benchers for their congratulations, good wishes and roses on his 90th birthday.

ORDERED that this correspondence be received and filed.

CONVOCATION THEN ROSE

J. D. Arnup,
Treasurer.

SPECIAL MEETING OF CONVOCATION

THURSDAY, 24TH JUNE 1965
12 noon

PRESENT:

The Treasurer and Messrs. Common, Creighton, Harris, Howland, Jamieson, Keith, Levinter, McLaughlin, O'Brien, Pattillo, Seymour, Sheard, Slemin, Strauss and R. F. Wilson.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 24th June 1965 at 11:30 a.m., the following members being present: Mr.

W. G. C. Howland, Chairman, and Messrs. Creighton, Pattillo, Seymour, Sheard, Slemin, Starr and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Messrs. B. C. Stark, W. J. Meyer, and A. M. Milrad in the Creditors' Rights and Bankruptcy Course.

OSGOODE HALL LAW SCHOOL

EXAMINATION RESULTS — SPRING 1965

FIRST YEAR

There were one hundred and eighty (180) students who were entitled to write the Spring Term examinations. The return is as follows:

Honours

The following student having passed all examinations and obtained at least 75% of the aggregate marks obtainable is entitled to pass with Honours:

D. H. Lapowich

Scholarships

According to the return of the examiners, the following is entitled to the Law Society Scholarship for standing first with honours:

D. H. Lapowich — $200

Prizes

The following are entitled to Prizes:

The Richard Halliburton Greer Prize
(for the highest mark in Criminal Law)

S. W. Schwartz —	$ 50

The Lawyers Club War Memorial Prizes
(for the highest mark in Civil Procedure)

First Prize — T. E. Maki	$100
Second prize — W. G. J. Swybrous	$ 50

The Kenneth Gibson Morden Memorial Prize
(for the highest mark in Evidence)

I. Kumer —	$ 50

The Samuel Factor Memorial Prize
(for the highest mark in Contracts)
D. H. Lapowich — $ 50

The Prizes in Legal History

First Prize — J. H. F. Dunham — $ 75

Second Prize — C. J. Abbass — $ 50

The Prize in Torts
D. H. Lapowich — $ 35

Summary and Comparative Analysis

	Spring, 1964	*Spring, 1965*
Honours	1	1
Pass Class I	15	31
Pass Class II	99	99
Aegrotat	0	1
	115	132
Supplementals	38	33
	153	165
Failures	27	15
	180	180

SECOND YEAR

There were one hundred and forty-nine (149) students who were entitled to write the Spring Term examinations. The return is as follows:

Honours

The following students having passed all examinations and obtained at least 75% of the aggregate marks obtainable are entitled to pass with Honours:

T. G. Heintzman
J. S. Leibel

Scholarships

According to the return of the examiners, the following are entitled to share the Law Society Scholarships for standing first and second with Honours. These two candidates are equal:

T. G. Heintzman — $175
J. S. Leibel — $175

Prizes

The following are entitled to Prizes:

The Reading Law Club Prize
(for the highest mark in Sale of Goods)
R. H. Blackburn — $ 50
The Ivan Cleveland Rand Scholarship
(for the highest mark in Constitutional Law)
D. M. Montcalm — $100
The Prize in Company Law
M. Matlow — $ 50
G. F. G. Pooley — $ 50
The William Bruce Henderson Prize
(for the highest mark in Conveyancing and Mortgages)
J. B. Lubell — $ 50
The Canada Permanent Trust Company Prize
(for the highest mark in Equity)
R. H. Blackburn — $200
The Prize in Family Law
C. H. Foster — $ 35

Summary and Comparative Analysis

	Spring, 1964	*Spring, 1965*
Honours	2	2
Pass Class I	19	22
Pass Class II	88	92
Aegrotat	0	2
	109	118
Supplementals	29	29
	138	147
Failures	5	2
	143	149

THE REPORT WAS ADOPTED.

OSGOODE HALL LAW SCHOOL — *Affiliation with York University*

The Treasurer stated that at the meeting of Convocation on 26th March 1965, Convocation approved in principle the carrying on of negotiations with York University with a view to the affiliation of Osgoode Hall Law School with it, and that the Treasurer was authorized to appoint such Committees as he might deem advisable, such Committees to report further to Convocation.

The Treasurer announced that he had appointed a Special Committee on Osgoode Hall Law School — Affiliation with York University, composed of Messrs. Arnup (Chairman), Howland (Vice-Chairman), Robins, R. F. Wilson, Keith and G. A. Martin.

DISCIPLINE COMMITTEE

Moved by Mr. O'Brien, seconded by Mr. Levinter, that Mr. W. B. Williston, Q.C., be added to this Committee.

Carried.

SPECIAL COMMITTEE ON THE APPOINTMENT OF A SECRETARY

The Treasurer pointed out that in addition to the selection of a new Secretary there was also a need for the appointment of an Assistant Secretary, and the Special Committee asks permission to proceed concurrently with these two appointments.

Moved by Mr. Jamieson, seconded by Mr. Sheard, that the Special Committee be authorized to appoint an Assistant Secretary.

Carried.

CONVOCATION ADJOURNED AT 12:30 P.M.

The Treasurer and Benchers entertained at luncheon Professor Austin W. Scott, Dane Professor of Law, Emeritus, Harvard Law School, Dr. Harold G. Fox, Q.C., and H. Allan Leal, Q.C., Dean of the Osgoode Hall Law School.

CONVOCATION RESUMED at 2:30 p.m. at the O'Keefe Centre, a quorum being present.

The Treasurer and Benchers and their guests, and the Dean and members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded in academic procession to the stage of the auditorium.

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee, read the prayer.

CONFERRING OF HONORARY DEGREES

The Chairman of the Legal Education Committee read the following citation:

> "I present to you, Sir, Austin Wakeman Scott, Dane Professor of Law, Emeritus, of the Harvard Law School, whose brilliant career as a law teacher has spanned a period of over 50 years and whose legal scholarship has won for him a reputation of the highest order throughout the common law world. Generations of law students have found his classes an exciting and rewarding intellectual experience. His teaching methods, skills, legal scholarship, and his friendly and wise counsel have been an inspiration and guide to his colleagues in the law teaching profession within and beyond his own school and his own country. In the field of legal writing he has no peer and his great treatise on The Law of Trusts has made a singular and momentous contribution to the law and its literature. In a style at once simple, clear and concise his writing has clarified and ordered this complex subject and established a precedent which will guide and instruct all those who would in the future emulate his example. Canadian law schools have special reason to be grateful to him and his school for the profound influence they have had upon the development of legal education in this country. We salute him as a teacher, scholar, counsellor and friend and present him to you, Mr. Treasurer, that you may confer upon him our highest academic award.
>
> Mr. Treasurer, in the name of the Benchers of the Law Society of Upper Canada, I request you to confer upon Austin Wakeman Scott the degree of Doctor of Laws, honoris causa."

The Treasurer then conferred the degree of Doctor of Laws, honoris causa, upon Professor Austin W. Scott.

CONFERRING OF DEGREE OF MASTER OF LAWS

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidate who has complied with the requirements prescribed for graduate study at the Osgoode Hall Law School, the degree of Master of Laws:

John Joseph Cavarzan, LL.B. Ottawa

CONFERRING OF DEGREES IN COURSE

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidates who have completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws:

WITH HONOURS

Arthur Richard Andrew Scace

Robert James Abbey
Irving Abrams
Barry Stephen Arbus
Robert Arcand
Leonard Alan Banks
Homar Robert Barlow
Norman Bennett
Myer Betel
Irving Birnbaum
David Marsh Bishop
Spencer Black
Harold James Blake
John Stewart Edwards Bouge
John Andrew Burgess
George Dudley Barbour Butterfield
Paul Aylward Christopher Carroll
Lawrence Jerome Cohen
Howard Lawrence Coleman
Sydney Nathan Conn
Lawrence Stanley Crackower
Joseph David Day
William Bruce Donaldson
Lyle Scott Fairbairn
Emil Bohdan Fedak
Stanley Howard Feldman
Theadore Jehyda Feldman
Marvin Harold Flancman
Francis Floszmann
Edward John Freyseng
Avrum A. Glasner
Earl Glasner
Norman Lee Goldman
Stanley Irwin Goodman
Michael Joseph Gould
Ian Thomas Hogg Hamilton
Dennis Gerald Hart
Peter Edward Heslin
William John Anthony Hobson
William Andrew Huska
Yrjo Adolf Hynna
Janet Sydney Inskip
William George Irwin
Kenneth Stewart Johnson
Harvey Irwin Joseph
Ross Blair Judge
Gary Stanley Kay
Arthur Ryoji Kitamura
Herschel Lebo
Frederick Ernest Leitch
Michael Donald Lipton
Philip Charles George Lococo
John Hunter Lytle

Stewart Neill Martin
Edwin Norman Merkur
James Gribben Milligan
John Donald Miskew
Joel Sherman Moldaver
Wayne Douglas Morrison
Wallace Leo Murray
John William Charles Macfarlane
Christopher Jeffares McCombe
Thomas Edward Joseph McDonnell
Arthur Allan McLean
Duncan James McRae
John Dennis Nanson
James William Walter Neeb
William Ralph Newey
John Joseph Peter O'Donoghue
James Gerald Paul
Iliff Lawrence Baxter Peck
William Frederick Allan Phipps
André Antoine Joseph Pigeon
Arthur Sidney Pollack
Thomas Wayne Powers
Alan Stanley Price
Martin Norman Rain
Edward George Ralfe
William Richard Reed
Lewis Jay Richardson
Charles Scott Ritchie
Paul Ross
William Preston Ross
Michael Norman Rubenstein
Kenneth Grundy Scott
Max Irving Shafir
Altor Lazar Shields
Robert Lawrence Siegel
Robert Gary Siskind
Roger Archibald Skinner
Barry Sheldon Small
Richard Price Smith
Roger Joseph Smith
Steven Zbigniew Sobolewski
Michael Peter Starr Spearing
Dieter Ulrich Steinkraus
Lawrence Ritchie Sutton
Robert James Swayze
Terrance Austin Sweeney
Lawrence Harvey Swern
Burton Bruce Clark Tait
Charles Allan Talmage
Roland Walter Thurston
Robert Warren Torrens
James Arthur Treleaven
Jack Allen Walker
Lynn Ruth Weisdorf
James Tate Wilbur
Earl Joseph Winemaker
Donald George Wray
Frederick Allen Yack
Barry Wilson Young
Samuel Goodman Zaltz
Stephen Milton Zubkavich
Anton Zuraw

In Absentia

Bernard Irving Michael Applebaum
Robert Bruce McGee
Gerald Otto Siegbert Oyen
John dePencier Wright

The Treasurer presented the following scholarships and prizes won by the members of the graduating class:

Silver Medal — A. R. A. Scace

The Chancellor Van Koughnet Scholarship — A. R. A. Scace
The Christopher Robinson Memorial Scholarship — B. B. C. Tait

The Matthew Wilson Memorial Scholarship — P. A. C. Carroll

The Clara Brett Martin Memorial Scholarship — T. A. Sweeney

The Prize in Conflict of Laws — R. Arcand

The Prize in Creditors' Rights — A. A. J. Pigeon and A. R. A. Scace

The Prize in Admiralty Law — R. J. Abbey

The Prize in Labour Relations Law — A. R. A. Scace

The Insurance Company of North America Prize in Insurance Law — H. C. Mills Memorial Award — W. L. Murray

The Prize in Income Tax — A. R. A. Scace

The Northern Ontario Prize — R. B. Judge

The Butterworth Prize — B. B. C. Tait

The Prize in Public International Law — S. H. Feldman

The Reading Law Club Prize in Jurisprudence — R. J. Smith

The Thomas Cowper Robinette Memorial Prize — A. Glasner and J. A. Walker

The Treasurer congratulated the graduating class on behalf of the Osgoode Hall Law School and The Law Society of Upper Canada and introduced to them and their families and friends, Professor Austin W. Scott, Dane Professor of Law, Emeritus, Harvard Law School, who addressed Convocation.

CONVOCATION THEN ROSE

Following the meeting of Convocation, the Treasurer and Benchers entertained the Graduates, their families and friends at a reception in the main lounge, lower floor, of the O'Keefe Centre.

J. D. Arnup,
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 17TH SEPTEMBER 1965
11 A.M.

PRESENT:

The Treasurer and Messrs. Beament, Beaton, Bruce, Cassels, Chitty, Clement, Common, Creighton, Davis, Fennell, Ford, Gray, Gregory, Harris, Howland, Keith, Levinter, Maloney, G. A. Martin, W. S. Martin, McCulloch, McLaughlin, O'Brien, Pattillo, Robins, Roebuck, Seaman, Seymour, Sheard, Slemin, Starr, Steele, Strauss, and R. F. Wilson.

The Minutes of Convocation of 18th June and ~~25~~24th June 1965 were read and confirmed.

SPECIAL COMMITTEE ON ORGANIZATION OF CONVOCATION AND COMMITTEES

The Treasurer announced that pursuant to recommendations of the Reporting, Library and County Libraries Committees in June, he had appointed a Special Committee on Organization of Convocation and Committees composed of Messrs. Robins (Chairman), Keith, W. S. Martin, Steele and Wright, and he read to Convocation the following terms of reference which he suggested purely for the guidance of the Committee:

> To consider the constitution, terms of reference and organization of the standing committees, and the work of Convocation and in particular:
>
> 1. Whether the Reporting, Library and County Libraries Committees should be merged.
> 2. The days appointed for meetings of standing committees and of Convocation, and their relation to each other.
> 3. The method of reporting to Convocation, including the feasibility of reproducing committee reports for all members of Convocation so that such reports need not be read aloud.
> 4. The order of business in Convocation.

5. Such other changes in present procedures as the Committee deems appropriate to improve the efficiency of the work of Convocation and its committees.

Special Committee of the Appointment of a Secretary

At the request of the Treasurer, Mr. Howland presented the Report of the Special Committee:

At its meeting on 21st May 1965 Convocation authorized the Treasurer to appoint a special committee to make recommendations to Convocation as to the appointment of a Secretary to succeed Mr. W. Earl Smith as of 1st July 1966. The Treasurer subsequently appointed a special committee consisting of the Treasurer as Chairman, and Messrs. G. A. Martin, Howland and O'Brien. The committee has had several meetings, and has had the benefit of lengthy and frank discussions with Messrs. Earl Smith, Kenneth Jarvis, Andrew Lawson, Alfred E. Bennett, and Robert L. Anderson. The Treasurer has also had private meetings with Messrs. Jarvis and Lawson.

Your committee makes the following recommendations:

1. That Mr. Kenneth Jarvis be appointed Secretary of The Society effective 1st July 1966, at a salary to be fixed by Convocation on the recommendation of the Salaries Sub-Committee of the Finance Committee.

2. While it is not strictly within the terms of reference of the committee, we recommend that in view of his long experience and value to the Society, Mr. Alfred E. Bennett be appointed Comptroller, as of 1st July 1966, and that subject to the general direction of the Secretary, the Comptroller should have the functions of an office manager, in charge of routine administration, as well as having responsibility for the accounts, books and records of the Society, and that his salary for all services performed for the Society as such be fixed on an annual basis, on the recommendation of the Salaries Sub-Committee, having regard to his extended functions.

3. That immediate steps be taken to engage an Assistant Secretary, his employment to take effect as soon as possible, so that such Assistant Secretary may have the benefit of association with Mr. Smith, and will have become thoroughly

acquainted with the various functions of the Secretary's office prior to Mr. Smith's retirement.

Dated this 17th day of September 1965.

THE REPORT WAS ADOPTED UNANIMOUSLY

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 16th September 1965, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Gregory, Seaman, Sheard, Slemin and Williston.

BAR ADMISSION COURSE

FACULTY

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Messrs. M. A. Goldberg, R. Kennedy, A. Englander and J. S. Hausman in the Estate Planning Section, and Mr. Harvey Spiegel in the Civil Procedure I Section.

ESTIMATES 1965-66

Your Committee approved the estimates of the expenditures for the year 1965-1966 in the amount of $166,320.00.

OSGOODE HALL LAW SCHOOL

SUPPLEMENTAL EXAMINATION RESULTS—AUGUST, 1965

The record of the returns of the examiners of the supplemental examinations August, 1965, for all years, is submitted herewith:

FIRST YEAR

There were thirty-three (33) students who wrote these examinations and of that number twenty-two (22) passed clear and have completed the work of their First Year and are entitled to proceed to the Second Year of the LL.B. course in September, 1965. There were seven (7) students who failed in one subject, and four (4) students who failed in two subjects.

The Faculty has considered each of these failures individually and, on the basis of their academic record and medical and other evidence, one student has been granted aegrotat standing in the subject in which he failed, four (4) students have been allowed the subject in which they failed to attain pass standing, and the remaining six (6) students have been asked to withdraw from the School.

SECOND YEAR

There were twenty-nine (29) students who wrote these examinations and all students passed clear and have completed the work of their Second Year, and accordingly are entitled to proceed into the Third Year of the LL.B. course in September, 1965.

THIRD YEAR

There were twelve (12) students who were entitled to write the supplemental examinations in the Third Year of the LL.B. course and of these ten (10) students have passed clear and will be entitled to receive their degree at the October Convocation. Two students did not write the supplemental examinations due to illness, and of these one will be permitted to sit a special supplemental examination in September, 1965, with a view to his graduation in October, 1965, and the remaining student is not well enough to prepare for examinations at this time and has been granted the privilege of writing at the supplemental examination period in August, 1966.

Your Committee received the Faculty's report.

Approval of Foreign Degrees and Courses

Your Committee approved various foreign degrees for the purpose of admitting the holders thereof to enter the First Year of the Osgoode Hall Law School in September, 1965, under Regulation 4(3).

Admission of Special Students

Your Committee considered applications of certain special students to take single Courses in the Osgoode Hall Law School, and approved faculty recommendations thereon.

Visiting Lecturer — University of Toronto
Professor Harry W. Arthurs

Your Committee approved the Dean's recommendation that Professor Harry W. Arthurs of the Faculty of Osgoode Hall

Law School be given permission to give the weekly two hour seminar in Labour Law at the Faculty of Law, University of Toronto, during the academic session 1965-66.

VISITING LECTURER — LAVAL UNIVERSITY
PROFESSOR JEAN-GABRIEL CASTEL

Dr. Louis Marceau, Dean, Faculty of Law, Laval University, Quebec City, has requested that Professor Jean-Gabriel Castel be allowed to repeat his lectures in Comparative Law at the Quebec Faculty in the academic session 1965-66. These lectures are to be given in the month of December, 1965. Professor Castel has arranged to complete his Fall Term lectures here before his departure for Quebec City.

Your Committee approved the Dean's recommendation that Dean Marceau's request be granted.

THE HARRY R. ROSE SCHOLARSHIP

The Will of the late Harry R. Rose, Q.C., provides as follows:

> "(xvii) To pay to The Law Society of Upper Canada, the sum of $5,000.00, to the intent that such sum shall be invested by The Law Society of Upper Canada in such manner as it shall see fit, and the income therefrom shall form an annual scholarship to be named as 'The Harry R. Rose Criminal Law Prize' and shall be paid to the student receiving the highest mark in the criminal law course at Osgoode Hall."

The course in Criminal Law is taught in the First Year and for some years there has been a prize for the student taking the highest marks in this subject in memory of the late Richard Halliburton Greer. The prize is described in the Calendar as follows:

> "The Richard Halliburton Greer Prize.—Mr. Paul Greer, Barrister, of Toronto, has established an annual prize of $50 in memory of his father to be awarded to the first student who obtains the highest mark in the subject of Criminal Law."

Your Committee approved the Faculty's recommendation that both the Richard Halliburton Greer Prize and the Harry R. Rose Scholarship be awarded to the student who obtains the highest mark in the subject of Criminal Law and that all reference to the amounts of the prizes be deleted from the Calendar.

The matter was discussed with the donor of the Richard Halliburton Greer Prize who is not opposed to both prizes being given.

LEGAL WRITING PROGRAMME — TEACHING FELLOWS

At its meeting on 20th May 1965, your Committee approved the Dean's recommendation that three full-time teaching assistants be appointed to assist in the operation of the Legal Writing Programme for the academic session 1965-66 and that $15,000 be allocated for the purpose.

At its meeting on the 17th June 1965, your Committee approved the appointment of the first of these teaching fellows, Mohan Anand Prabhu, M.A., Bombay, LL.B. Bombay, LL.M. University of London.

During the summer, after discussion with the Chairman and Vice-Chairman of your Committee the Dean recommended the following further appointments:

Francis John Nugan of Griffith, New South Wales, Australia, completed the four year course in law at the Faculty of Law, University of Sydney, Australia, and graduated with the LL.B. degree in May, 1964. From February, 1962, to June, 1964, he was employed as a law clerk by Messrs. Dawson, Waldron, Edwards & Nicholls, Solicitors, of Sydney, Australia. In the academic session 1964-65, Nugan pursued graduate studies at the School of Law (Boalt Hall), University of California (Berkeley), and was awarded his Master of Laws degree on 10th June 1965, after having had an outstanding year.

Patrick L. Howell, of Gowan Lodge, North Holmwood, Dorking, Surrey, England, completed the course in Honours Jurisprudence at the University of Oxford, England, and was awarded the degree of Bachelor of Arts with First Class Honours.

Your Committee approved the Dean's recommendation that Messrs. Nugan and Howell be appointed as teaching fellows for the academic session 1965-66, effective as of 1st July, 1965.

COMMERCIAL LAW PROGRAMME, 1962-65

At its meeting on 16th September 1965, your Committe had before it a printed report of the Commercial Law Programme for the years 1962 to 1965.

The Programme for the academic session 1965-66 will include a one day symposium at Osgoode Hall, in co-operation with the Canadian Export Association, on doing business with the Scandinavian countries, with major reference to Sweden. The Department of Trade and Commerce and the Swedish officials in Canada have pledged their full co-operation.

The second conference, two days on Industrial Relations, is tentatively scheduled for the spring of 1966.

Your Committee recommended that the programme be approved.

ESTIMATES 1965-1966

Your Committee approved the estimates of the expenditures for the year 1965-1966 in the amount of $416,984.00.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON OSGOODE HALL LAW SCHOOL AFFILIATION WITH YORK UNIVERSITY

The Treasurer reported that the Special Committee has been very active and hopes to present a detail Report to the meeting of Convocation in October next.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 16th September 1965, at 3:30 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Gregory and Robins.

ADMISSION OF STUDENTS-AT-LAW

BAR ADMISSION COURSE

Two hundred and eighty-six candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of September 1, 1965.

Approved.

Direct Transfer
Commonwealth Transfer
Special Petition

Your Committee considered special applications and made recommendations thereon.

Estimates 1965-1966

The estimates of the expenditures for the year 1965-1966 are before the Committee for consideration.

Approved.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. Gregory

Your Committee met on Wednesday, the 15th September 1965, the following members being present: Messrs. Gregory (Chairman), Sheard (Vice-Chairman), Bruce, Common, Gray, Harris, Howland, Levinter, W. S. Martin, Slemin, Steele and R. F. Wilson.

Financial Statement, *1st July to 31st August 1965*

Approved.

Annual Financial Statement

The Annual Statement for the year ending 30th June 1965, as certified by the auditors, Messrs. Clarkson, Gordon & Company, was considered.

Your Committee recommends that the statement, as submitted, be approved for presentation to Convocation and for publication pursuant to the Rules.

Annual Fees, 1965-66

Your Committee recommends that the annual fees be fixed at $70.00, the same amount as for 1964-65.

Compensation Fund Levy

The Discipline Committee is recommending to Convocation on the 17th instant, that the levy for the current year be $75.00.

Your Committee recommends approval, subject to the approval of Convocation.

ROLLS AND RECORDS

The Secretary reports—

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their names have been removed from the rolls and records of the Society:

William A. Donohue, Q.C., Sarnia	Called—16th October 1930; Appointed Judge, S.C.O. 24th August 1965.
William J. O. Henderson, Q.C., Kingston	Called—17th September 1942; Appointed Judge, S.C.O. 24th August 1965.
Bora Laskin, Q.C., Toronto	Called—16th September 1937; Appointed Judge, S.C.O. (Court of Appeal), 1st Sept. 1965.

Noted

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

A. J. Gordon, Windsor (Honorary Life Member)	Called—23rd May 1913 Deceased—7th May 1965
H. F. Brown, Q.C., Hamilton	Called—23rd November 1922 Deceased—15th May 1965
Archibald E. Mix, Q.C., St. Catharines	Called—26th October 1922 Deceased—9th June 1965
J. B. Coyne, Q.C., Ottawa (Honorary Life Member)	Called—1904 Deceased—16th June 1965
W. G. H. Bennett, Q.C. Sault Ste. Marie	Called—16th September 1943 Deceased—28th June 1965
R. C. Bruce, Elora	Called—21st June 1934 Deceased—7th July 1965
R. L. Webster, Toronto	Called—19th January 1922 Deceased—8th July 1965
T. E. Reilly, Toronto	Called—16th May 1946 Deceased—15th July 1965
T. S. Elmore, Q.C., Toronto (Honorary Life Member)	Called—22nd May 1914 Deceased—17th July 1965
Robert C. Bennett, Q.C., Hamilton	Called—8th June 1922 Deceased—17th July 1965
J. P. Ebbs, Q.C., Ottawa	Called—19th May 1911

(Honorary Life Member)	Deceased—18th July 1965
W. M. Cox, Q.C., Toronto	Called—16th September 1915 Deceased—18th July 1965
Lewis A. McHugh, Windsor	Called—7th March 1927 Deceased—24th July 1965
R. F. Bromley, Grants Pass, Oregon	Called—18th June 1941 Deceased—27th July 1965
F. H. H. Smith, London	Called—16th October 1924 Deceased—28th July 1965
Charles H. Church, Orangeville	Called—12th April 1962 Deceased—15th August 1965
J. Edward Okuloski, Q.C., Hamilton	Called—16th September 1948 Deceased—27th August 1965
J. S. D. Tory, Q.C., Toronto	Called—16th June 1927 Deceased—27th August 1965

Noted.

(3) *Resignations*

William Reginald Slee was called to the Bar on the 20th May 1920. He has paid Bar Fee only since 1925. For some time he lived in Quebec, and returned to Ontario in 1957, has never practised but continued to pay the Bar Fee. In view of these circumstances, the Secretary asks that the resignation be considered under paragraph 4 of the new Rule dispensing with the usual requirements.

Your Committee recommends that under the circumstances the resignation be accepted.

SOLICITOR'S PRACTISING CERTIFICATE

Leo Arthur Doyle was called to the Bar on the 17th April 1930, and has not paid fees since 1941.

Your Committee recommends that in the circumstances presented a Solicitor's Practising Certificate be issued to Mr. Doyle.

John Owrey Weldon—was called to the Bar on the 15th September 1938. In 1962 he was appointed to the Tax Appeal Board and asked that his name be removed from the rolls and records of the Society.

Your Committee recommends that a Solicitor's Practising Certificate be issued to Mr. Weldon.

PORTRAITS—*Richard Martin Meredith*

Mr. Eduard Zukowski reports that this portrait has deteriorated so badly that complete restoration is necessary at an approximate cost of $275.00.

Your Committee recommends that the necessary restoration be authorized.

GARDENS AND GROUNDS—*Trees*

Mr Cambridge, the gardener, and Cedarvale Landscape Services Limited now recommend the following:

Removal of basswood true struck by lightning	$ 143.00
Removal of elm—Dutch elm disease	115.00
Moving of large maple on west lawn to site of elm tree	550.00
Moving of linden tree from west lawn to site of basswood tree	110.00
Moving of 10 small trees at $90 each	900.00
	$1,818.00

Approved.

CONFERENCE OF CHIEF JUSTICES

With the approval of the Minister of Justice it has been decided that meetings of the Chief Justices in Canada will be put on a permanent annual basis. This Fall the Chief Justices, numbering 21 in all, will meet in Toronto on 15th and 16th November. The Treasurer suggests that consideration be given to asking the Chief Justices to dinner at Osgoode Hall on 16th November.

The University of Toronto is giving a dinner on 15th November and your Committee recommends that the Treasurer and Benchers give a dinner to the Chief Justices at Osgoode Hall on 16th November.

THE REPORT WAS ADOPTED

Mr. Gregory announced that this was the last Report he would present as Chairman as he had decided to ask the Finance Committee to appoint a successor at its October meeting.

The Treasurer stated that Mr. Gregory had been a member of the Finance Committee since 1951 and had served as Vice-Chairman for four years and as Chairman for more than three years, and on behalf of himself and Convocation, expressed the thanks and appreciation of the Benchers for his valuable services to the Society.

DISCIPLINE COMMITTEE—Mr. O'Brien

Mr. O'Brien, Chairman, presented the following Reports of the Discipline Committee:

RE: STEPHEN WAYNE MACKNESON

The Committee reported that with the consent of Counsel, the first paragraph of the Notice of Complaint had been amended.

The Committee further reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor on the first complaint as amended; but that it did not make any finding with respect to the second and third complaints; and recommended that the solicitor be allowed to resign from the Society.

Moved by Mr. O'Brien, seconded by Mr. Keith, that the Report be adopted.

The solicitor did not attend, but his Counsel, Mr. Alastair Paterson, attended and addressed Convocation. He stated that the civil action referred to in the Committee's Report had been completely cleared up, and that there is no evidence of any trust funds being involved; and that before his resignation the solicitor and his wife will submit a Declaration with reference to trust funds.

THE REPORT WAS ADOPTED

RE: COMPENSATION FUND

Your Committee met on the 14th September 1965 at 10:00 o'clock in the morning, the following members being present: Mr. O'Brien, Chairman, Mr. Keith, Vice-Chairman, and Messrs. Bruce, Common, Howland, Levinter, G. A. Martin, Pattillo, Robins and Williston.

COMPENSATION FUND:

Your Committee considered the following statements of the position of the Compensation Fund as at 30th June 1965, 31st July 1965 and 31st August 1965.

FINANCIAL SUMMARY

From 31st December 1964 to 30th June 1965		
Balance in Fund 31st December 1964		$516,230.93
Receipts		
Fees	$148,510.00	
Increase in value of securities	805.00	
Investment Income	2,287.50	
Bank Interest	4,162.77	
Recoveries	8,246.87	164,012.14
		$680,243.07
Disbursements		
Reporters, transcripts, investigations, counsel fees, &c.	$ 11,891.22	
Grants	92,272.61	
Refunds	445.00	104,608.83
BALANCE IN FUND 30TH JUNE 1965		$575,634.24

DETAILS

During the period 1st January 1965 to 30th June 1965 the Discipline Committee considered applications for grants from the Compensation Fund in respect of the defalcations of F. C. Brown, Robert Castor, Leo Cavasin, Thomas Charlebois, R. J. Corkery, R. P. Doyle, N. M. Dunn, R. E. Fairs, D. R. Featherstone, M. R. J. Heffer, G. J. Majic, R. F. X. Marentette, G. S. MacLean, D. C. McKechnie, B. L. Ogryzek, B. J. Spencer Pitt, Samuel Resnick, W. H. Swayze, John Velanoff and R. Dean Wills. In each case where a grant was made your Committee was satisfied that a solicitor and client relationship existed and that the loss resulted from misappropriation by the solicitor. The applications were disposed of as follows:

APPLICATIONS PAID — *1st January to 30th June 1965*

re: *F. C. Brown* — 11 claims (disbarred 17th May 1963)	$27,117.21
re: *Robert Castor* — 1 claim (disbarred 24th September 1964)	25,000.00
re: *L. A. Cavasin* — 1 claim (disbarred 27th June 1963)	1,000.00
re: *Thomas Charlebois* — 1 claim (died 13th May 1965)	100.00

re: *R. J. Corkery* — 1 claim (disbarred 19th April 1963)	4,460.00
re: *Robert P. Doyle* — 2 claims (disbarred 15th May 1964)	200.00
re: *M. R. J. Heffer* — 1 claim (disbarred 20th September 1963)	250.00
re: *D. C. McKechnie* — 2 claims (disbarred 20th November 1964)	650.00
re: George Majic — 1 claim (disbarred 14th December 1962)	2,700.00
re: *Robert F. X. Marentette* — 1 claim (disbarred 28th June 1962)	111.29
re: *B. J. Spencer Pitt* — 6 claims (died 28th June 1961)	25,290.50
re: *W. H. Swayze* — 4 claims (disbarred 15th February 1963)	4,393.61
re: *R. D. Wills* — 1 claim (disbarred 18th January 1963)	1,000.00
Total Grants paid 1st January to 30th June 1965	$92,272.61

APPLICATIONS REFUSED OR WITHDRAWN

1st January 1965 to 30th June 1965	13

RECOVERIES FOR THE COMPENSATION FUND—
1st January 1965 to 30th June 1965

re: *K. E. Cunningham* (disbarred 17th April 1959)	325.00
re: *H. B. Galloway* (disbarred 16th November 1962)	1,319.00
re: *W. G. Murphy* (disbarred 17th October 1958)	1,025.00
re: *Mervyn Cohen* (disbarred 17th June 1960)	5,577.87
	$ 8,246.87

OUSTANDING APPLICATIONS TO 30TH JUNE 1965

J. D. Barclay	$ 1,795.57
F. C. Brown	11,782.15
Wallace Card	27,304.92
Robert Castor	64,876.22

Leo A. Cavasin	24,783.93
R. P. Doyle	1,906.85
N. M. Dunn	7,643.47
R. E. Fairs	2,870.68
Donald R. Featherstone	51,050.00
M. R. J. Heffer	16,200.00
George C. Hewson	2,000.00
Gerard S. MacLean	304,068.91
George Majic	245,264.73
R. F. X. Marentette	46,369.30
R. N. Meakes	1,785.32
H. A. Newall	1,400.00
Benedykt L. Ogryzek	5,599.00
Samuel Resnick	183,986.24
A. J. Skeans	41,694.72
E. H. Slater	282,233.47
W. H. Swayze	70,336.60
John Velanoff	1,216.91
R. D. Wills	4,855.00
	$1,401,023.99

It is likely that a proportion of these applications will fail to comply with the requirements of The Law Society Act, but it is impossible to tell what proportion will not result in grants from the Fund.

COMPENSATION FUND

31st July 1965

Balance on hand 30th June 1965		$575,634.24
Receipts		
Fees	612.50	612.50
		$ 576,246.74
Disbursements		
Grants	49,217.25	
Reporters, transcripts, investigations, counsel fees, &c	97.45	49,314.70
Balance on Hand 31st July 1965		$ 526,932.04

CLAIMS PAID

Total claims paid to 30th June 1965	$1,306,075.74
Claims paid in July 1965	49,217.25
Claims paid to 31st July 1965	$1,355,292.99

OUTSTANDING CLAIMS

Claims outstanding 30th June 1965		$1,401,023.99
Received in July 1965	1,616.91	1,616.91
		1,402,640.90
Dismissed in July 1965	9,000.00	
Paid	57,404.85	66,404.85
Claims outstanding 31st July 1965		$1,336,236.05

COMPENSATION FUND

31st August 1965

Balance on hand 31st July 1965		$ 526,932.04
Receipts		
Fees	300.00	300.00
		527,232.04
Disbursements		
Grants	1,000.00	
Reporters, Transcripts, investigations, counsel fees, &c	75.00	1,075.00
Balance on Hand 31st August 1965		$ 526,157.04

CLAIMS PAID

Total claims paid to 31st July 1965	$1,355,292.99
Claims paid in August 1965	1,000.00
Claims paid to 31st August 1965	$1,356,292.99

OUTSTANDING CLAIMS

Claims outstanding 31st July 1965		$1,336,236.05
Dismissed in August	49,550.00	
Paid in August	4,455.00	54,005.00
Claims outstanding 31st August 1965		$1,282,231.05

Note re September payments

So far in September $26,881.76 has been paid out in Slater claims and $3,052.08 in counsel fees, thus reducing the balance in the Fund as at 10th September to $496,223.20. This compares to a balance on 30th June 1964 of $290,529.87, which was before any Gruson claims had been paid.

The Slater claims originally totalled $282,233.47. The Committee has paid $81,114.89 in respect of these claims and provisionally approved for payment $54,932.85. The claims disallowed total $48,150.00 and claims totalling $73,737.43, remain to be heard.

Evidence in the Majic claims has all been taken and the Committee will meet to consider it and the recommendations of its counsel.

COMPENSATION FUND — LEVY

There is presently in the Compensation Fund $496,223.20 and the outstanding claims total $1,238,763.32. Your Committee considered carefully the above reports of the state of the Fund and recommends that the Levy for 1965-1966 be $75.00, but that Convocation be informed that the Levy will not likely be reduced again at least for the succeeding year.

COMPENSATION FUND — SLATER HEARINGS — POLICY

The Discipline Committee met in London, Ontario to consider applications arising out of the activities of Earl Slater. On the 18th August 1965 Mr. Williston, Chairman, and Messrs. Ball and Slemin considered applications from the Sydenham Valley Conservation Authority for $13,675.00 and the Upper Thames River Conservation Authority for $25,751.57. That Committee considered that the Sydenham Valley Conservation Authority and the Upper Thames River Conservation Authority qualified for grants in the amount of $13,435.50 and $25,000.00 respectively, so far as proving their losses, establishing a solicitor-client relationship with Slater and his dishonesty, but that Committee asked that a larger Committee consider as a matter of policy whether these quasi-public bodies should benefit from the Fund. When your Committee met on the 14th of September, Mr. Williston being present, it concluded that the grants should be made. Speaking generally, the Society should not declare any class of claimant to be ineligible, reserving always the overriding discretion of the Committee to deal with particular claims as they see fit.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

Mr. Steele stated that he would not vote on this motion in view of the paragraph headed — "Compensation Fund — Slater Hearings — Policy" as his firm acts for another Conservation Authority which has a claim arising out of Mr. Slater's practice.

The motion was carried.

CORRESPONDENCE

The Treasurer referred to a letter from Mr. Arthur A. Macdonald, Q.C. enclosing a Petition for Reinstatement of William George Murphy.

Moved by Mr. O'Brien, seconded by Mr. Maloney, that the Petition be referred to the Discipline Committee for consideration and report.

Carried.

CONVOCATION ADJOURNED AT 12:45 P.M.

CONVOCATION RESUMED at 2:20 p.m., a quorum being present.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell

Your Committee met on Thursday, the 9th September 1965, at the hour of 2:05 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. O'Brien, Slemin and Strauss.

Ruling 10 — Signs

Your Committee had before it a number of photographs of lawyer's signs which appear to contravene the provisions of Ruling 10, together with correspondence relating to some of these. The files were referred to Messrs. Strauss and O'Brien to consider and report with recommendations to the next meeting of the Committee.

Ruling 14— Borrowing from Clients and Investing Clients' Money

An enquiry was received from a firm of solicitors asking if it were proper for them to form with client builders a Limited Company to purchase mortgages. Your Committee expressed the view in the circumstances that it was imprudent for solicitors to form such a company.

Proposed New Ruling 18 — Touting, Advertising & Attracting Business Unfairly

This proposed new Ruling had been published for the information of the profession on 4th June 1965, and correspondence was before your Committee. It was considered and your Committee recommends to Convocation a proposed new Ruling in the following form:

> Proposed New Ruling 18
>
> Touting, Advertising & Attracting Business Unfairly
>
> No member of the Society or firm of members shall engage in any activity for the purpose of touting or advertising his practice or otherwise attracting clients unfairly.

Ruling 23 — Legal Writing

The issue of whether a lawyer's firm name should appear beneath his name as author of a legal article in a non-legal weekly newspaper was before your Committee and the Committee ruled that it was prohibited by Ruling 23 and instructed the secretary to write the solicitor accordingly.

Ruling 24 — Specialization

Your Committee considered this matter further and instructed the secretary to secure from the American Bar Association and other Law Societies Rulings and material that they had on the development of this topic.

Proposed New Ruling — Unconscionable Transactions

Your Committee continued its consideration of this Ruling prompted by the prevalence in Compensation Fund work of mortgages contrary to the Unconscionable Transactions Relief Act, but came to the conclusion that it would be more effective for the Committee to answer the following question posed to the Committee by a solicitor:

> "Is it proper for a solicitor to make a practice of carrying out mortgage transactions, either on his own behalf or on behalf of clients at usurious rates?"

Your Committee's answer to the question was "no".

Recommendation of Lawyers

The problem of the Society being asked to recommend lawyers in particular fields was before your Committee. Although it was felt that the work in connection with Specialization would ultimately help this problem, its consideration at the present time was referred to the Public Relations Committee.

Miscellaneous

An enquiry was before the Committee from an Ontario firm of solicitors asking if they could show on their letterhead the fact that they had arranged office space for their firm in New York City. Your Committee ruled that it would be improper to include the American address on the Ontario letterhead.

(Note: Certain other paragraphs of the report were referred back to the Committee.)

Moved by Mr. Fennell, seconded by Mr. O'Brien, that the Report be adopted.

Proposed New Ruling 18 — Touting, Advertising & Attracting Business Unfairly

Moved in amendment by Mr. Starr, seconded by Mr. Levinter, that the following words be inserted at the beginning of proposed New Ruling 18 — "Notwithstanding anything contained in Ruling 1".

The amendment was carried.

The Report as amended was adopted.

The Treasurer announced that members of Convocation are requested to send their views on the above rulings to the Professional Conduct Committee; and it was suggested that copies of the new draft rulings be sent to all Benchers.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 15th September 1965, the following members being present: Messrs. Steele (Chairman), W. S. Martin (Vice-Chairman), Bruce, Cassels, Common, Hariss, Keith, Levinter, Slemin and Strauss.

Estimates

Your Committee's estimate of expenditures for the year 1965-66 was approved at $80,000.00 for submission to the Finance Committee.

Night Librarians

Your Committee recommends the appointment of ten students to act as night librarians for the year 1965/66.

Your Committee recommends that the Chief Librarian be authorized to replace unsatisfactory appointees by other applicants.

Book on Indians

Your Committee reports that an informal inquiry has been received as to whether the library books on North American Indians, most of which are in the Riddell Canadian Library, could be presented to the library of an Ontario university.

Your Committee recommends, in view of the growing demand for material on Indians, the likelihood that there will shortly be Ontario legislation on Indian claims and the fact that the Riddell library was given to the Society on the express condition that it would be kept intact, that the books on Indians be kept in the library.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE—Mr. Maloney

Your Committee met on Wednesday, the 15th September 1965, the following members being present: Mr. G. W. Ford, Chairman, and Messrs. Cassels, Common, Harris, Levinter, Martin, W. S. McCulloch, O'Brien and Strauss.

ONTARIO REPORTS — Contract for Printing

The Law Society's contract with Canada Law Book Company Limited to print the Ontario Reports expires 31st December 1965.

At its meeting on the 16th June 1965, your Committee recommended, and Convocation approved, that the Chairman confer during the long vacation with law book companies interested in printing the Reports, to ascertain:

1. Whether they would care to give the Law Society an estimate as to costs under a yearly contract.
2. What provision they would make for prompt publication and for editing.

The Chairman conferred with five law book companies, and only two are interested in publishing the Ontario Reports — The Carswell Company Limited and Canada Law Book Company Limited.

Your Committee now recommends that a Sub-Committee be appointed, composed of four members: Mr. Ford, Chairman, and Messrs. Levinter, O'Brien and Strauss, to meet with The Carswell Company Limited and Canada Law Book Company Limited and report back to the Committee on their recommendations as to the awarding of the publishing contract.

Your Committee further recommends that for any meeting of this Sub-Committee, two members of the Committee shall be a quorum.

REPORTING

During the long vacation, the Chairman authorized publication in the Ontario Reports of the Amendments to the Revised Regulations of Ontario, 1960, being the Rules of Practice and Procedure of the Supreme Court of Ontario.

ESTIMATES

Your Committee approved estimates for the year 1965-66 for submission to the Finance Committee.

Mr. Starr took no part in the discussion on this Report, and did not vote as he stated that he was Counsel for Canada Law Book Company Limited.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 17th September 1965, the following members being present: Mr. R. L. Seaman (Chairman), and Messrs. Beament, Clement, Creighton, Fennell, Ford, Levinter, W. S. Martin, Slemin, Steele, and Strauss.

ESTIMATES 1965-66

The estimates of expenditures for the year 1965-66 were approved by the Committee.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE

At the request of the Chairman, Mr. Clement presented the Report.

Your Committee met on the 17th September 1965, the following members being present: Messrs. Fennell (Vice-Chairman), Beament, Clement, W. S. Martin, Seaman, Slemin, Steele and Strauss.

Annual Grants

Your Committee reports specially that the following county and district law associations, having failed to file their annual returns within three months from the 15th January 1965, have now filed their returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that grants be made to them as follows:

Lambton ($1,500.00 less penalty)	$1,350.00
Sault Ste. Marie ($1,200.00 less penalty)	1,080.00

Nipissing:

Your Committee reports that the Nipissing Association has not yet sent in its annual returns for 1964.

Estimates

Your Committee's estimates of expenditures for the year 1965/66 were approved at $54,000.00 for submission to the Finance Committee.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on Thursday, the 16th September 1965, the following members being present: Messrs. Levinter (Chairman), Steele (Vice-Chairman), Ford, Pattillo, Strauss and Williston.

Legal Aid — Wentworth County

Mr. George T. Inch, Q.C. has retired from the offices of Local Registrar of the Supreme Court, Clerk of the County Court, and Registrar of the Surrogate Court for the County of Wentworth. He has been Director of the Legal Aid Plan in Wentworth County from its inception, and now tenders his resignation.

Your Committee recommends that the resignation be accepted with regret, and that the Chairman express to Mr. Inch the appreciation of Convocation and of the Legal Aid Committee for his devoted and efficient service to the Ontario Legal Aid Plan over a period of fourteen years.

Estimates, 1965-66

Your Committee approves of estimates for the year 1965-66 for submission to the Finance Committee.

THE REPORT WAS ADOPTED

Special Committee on Osgoode Hall Extension

The Treasurer reported that a nine-storey building on the west lawn had been approved in principle by the Committee of the Chief Justice of Ontario as proposed by the architects, Messrs. Page and Steele, and approved by the consulting architect, Professor Eric Arthur.

INTERPROFESSIONAL LIAISON COMMITTEE

Mr. Howland presented the Report:

Report of Interprofessional Liaison Committee

A further meeting of the Interprofessional Liaison Committee was held on 24th June 1965 as the guest of the Ontario Association of Architects.

Panel Discussion — Department of Education Summer Course

A panel discussion on professionalism was conducted by the Committee at the Department of Education Summer Course for guidance teachers at York University on 12th July. An excellent keynote address on what is the essential nature of a profession was given by Mr. Peter Wright, Q.C. Representatives of the Architectural, Engineering, Medical and Chartered Accounting professions also participated. It is felt that the professions may be able to render greater assistance in the field of career guidance through similar panel discussions with career guidance teachers rather than by the direct counselling of high school students.

Professional Unions — Compulsory Collective Bargaining

The meeting discussed at length the proposed federal legislation respecting collective bargaining rights for Civil Service employees including those who are members of the professions. It also discussed the possibility of provincial legislation which might extend collective bargaining to the professions, particularly as a result of the representations by the nurses. The Ontario Association of Professional Engineers is strongly opposed to compulsory collective bargaining for the members of its profession.

As the legal profession might deem it desirable to express its views on this matter it has obtained the views of Mr. R. V. Hicks, Q.C., and Mr. David Lewis, Q.C. Mr. Norman L. Mathews, Q.C. has also been asked for his views. The matter has been referred to the Legislation Committee for consideration.

The Workmen's Compensation Act

In June last a letter was written to the Attorney General for Ontario advising him of the concern of the Law Society about the possible extension of The Workmen's Compensation Act to the legal profession and requesting an appointment to make submissions.

Executive of Interprofessional Liaison Committee for 1965-66

Chairman—W. G. C. Howland, Q.C.
Vice-Chairman—E. C. Morgan, Ontario Association of Architects
Secretary — Dr. Glenn Sawyer, Ontario Medical Association

The Law Society will be acting as the host at the next meeting of the Committee which is tentatively planned for 7th October.

Moved by Mr. Howland, seconded by Mr. O'Brien, that the question of Professional Unions — Compulsory Collective Bargaining, be referred to the Legislation and Rules Committee.

Carried.

LAW SOCIETY COAT OF ARMS

The Coat of Arms, as granted by the College of Heralds, has been received and the grant was before Convocation.

PRESENTATION

Mr. S. E. Weir, Q.C. has presented to the Society a Solemn Will made in the reign of Queen Anne with the Church Court Probate attached.

Ordered that this presentation be received with thanks, and referred to the Committee on Muniments and Memorabilia.

CORRESPONDENCE

The Treasurer referred to a letter from the Attorney General of Ontario enclosing a copy of the Report of the Ontario Law Reform Commission on the proposed "The Personal Property Security Act 1965".

Ordered that this matter stand to the October meeting of Convocation.

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer.

SPECIAL MEETING OF CONVOCATION

TUESDAY, 28TH SEPTEMBER 1965
1:45 P.M.

PRESENT:

The Treasurer and Messrs. Common, Ford, Keith, Levinter, O'Brien, Robins, Sheard, Strauss, Williston, P. D. Wilson, R. F. Wilson and Wright.

Notice of this Special Meeting of Convocation was given under Rule 12 by letter from the Secretary to each Bencher mailed on the 24th September 1965.

DISCIPLINE COMMITTEE

Mr. O'Brien, Chairman, presented the Report of the Discipline Committee:

RE: JOHN MILLS DRYSDALE

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he misappropriated money he had received in trust for a client; and recommends that his name be struck off the rolls of the Law Society of Upper Canada.

Moved by Mr. O'Brien, seconded by Mr. Common, that the Report be adopted.

The solicitor did not attend, but his counsel, Lloyd W. Houlden, Esq., Q.C., attended and addressed Convocation. He stated that his client had received a copy of the Report, and confirmed that he had been instructed to waive the usual notice and to accept service of the Report on the solicitor's behalf. He asked Convocation to note that the solicitor had come voluntarily to the Treasurer to report the shortage in his trust accounts, and had provided the evidence which enabled the matter to be dealt with expeditiously by the Committee and Convocation.

The motion was carried.

It was accordingly ordered

1. THAT the Report of the Discipline Committee in the matter of John Mills Drysdale, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said JOHN MILLS DRYSDALE guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charge dealt with by the said Report.
3. THAT the said JOHN MILLS DRYSDALE be disbarred.
4. THAT the said JOHN MILLS DRYSDALE is unworthy to practise as a Solicitor.

RE: SPECIAL COMMITTEE ON ORGANIZATION OF CONVOCATION AND COMMITTEES

The Treasurer announced that he had asked Mr. D. A. Keith, Q.C., to undertake some special duties, and therefore to retire from the Special Committee on Organization of Convocation and Committees, and that he had appointed Mr. R. F. Wilson to that Committee in place of Mr. Keith.

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 15TH OCTOBER 1965
10:30 A.M.

PRESENT:

The Treasurer and Messrs. Beament, Chitty, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Jamieson, Keith, Levinter, G. A. Martin, W. S. Martin, McCulloch, McLaughlin, O'Brien, Raney, Robins, Roebuck, Seaman, Seymour, Sheard, Starr, Steele, Strauss and Wright.

The Minutes of the meetings of Convocation of 17th September and 28th September 1965 were read and confirmed.

UNFINISHED BUSINESS

The Personal Property Security Act 1965

In consideration of the review of this subject by the Osgoode Hall Law School and the Canadian Bar Association, it was moved by Mr. Levinter, seconded by Mr. O'Brien, that the Law Society take no further action.

Carried.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 14th October 1965, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Seaman, Seymour, Sheard and Starr.

BAR ADMISSION COURSE

FACULTY

Your Committee approved the following appointments of Faculty in the Bar Admission Course: Messrs. A. Milrad and M. Applebaum in the Creditors' Rights and Bankruptcy Section, and Messrs. R. C. Rutherford, Q.C., R. R. McMurtry, J. A. Whiteacre, Q.C., and J. W. O'Brien in the Civil Procedure II Section.

PETITIONS

Your Committee considered petitions for special relief and made recommendations thereon.

OSGOODE HALL LAW SCHOOL

LAW SCHOOL ADMISSIONS

The Report of the Law School Admissions Committee for the Annual Session 1965-66 as adopted by the Faculty at its meeting on Tuesday, 8th October 1965, was before your Committee. A summary and comparative analysis of the disposition of applications for admission to the First Year is as follows:

	Academic Session 1965-66	*Academic Session 1964-65*
Applications received	492	402
Applications refused	130	67
Applications approved	362	335
Withdrawals before and after registration (to date)	155	141
Net	207	194
Plus repeaters, etc.	5	6
First Year enrolment	212	200

The Report indicates an increase in the number of applications of 90, or 22.4% over 1964-65. There was an increase in the applications refused from 16.6% in 1964-65 to 26.4% in 1965-66. This reflects the increase in the number of applications and the limit of 200 placed on the enrolment in the First Year class.

Your Committee received the Faculty's Report.

BURSARIES — REPORT OF COMMITTEE

Your Committee approved the Report of the Bursaries Committee that 92 bursaries be awarded

CRIMINAL LAW PROGRAMME 1965-66

Your Committee noted that the programme for the academic session 1965-66 will include a conference on Publicity and Criminal Trials, and that the subject matter is to take in the whole area of newspaper and T.V. and radio coverage of preliminary hearings and trials and its effect on the accused and the outcome of his trial as well as its effect on sentence and its effect in the case of an acquittal.

STUDENT LOAN FUND

The Osgoode Hall Law School Loan Committee met on 8th October and 12th October 1965, and recommended that loans be made to three students in the amount of $500 each.

Approved.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON OSGOODE HALL LAW SCHOOL AFFILIATION WITH YORK UNIVERSITY

At its meeting on 26th March 1965 Convocation approved the report of the Special Committee on Osgoode Hall Law School Affiliation with York University which report was substantially as follows:

At is meeting on 26th March 1965 Convocation approved in principle the carrying on of negotiations with York University with a view to the affiliation of the Osgoode Hall Law School with it and authorized the Treasurer to appoint such Committees as he might deem advisable, such Committees to report further to Convocation.

At its meeting on 21st May 1965 Convocation unanimously approved in principle of the affiliation of the Osgoode Hall Law School with York University on the understanding that definitive proposals would be submitted to Convocation.

At the meeting of Convocation on 24th June 1965 the Treasurer announced that he had appointed a Special Committee in connection with the proposed affiliation composed of the Treasurer as Chairman, Mr. Howland as Vice-Chairman and Messrs. G. A. Martin, Keith, Robins and R. F. Wilson.

During the summer discussions took place between the Vice-Chairman of the Special Committee and Dr. Murray Ross and Mr. Donald Rickerd, the President and Registrar respectively of York University and a meeting was held at York University on 13th July 1965 which was attended by Dr. Ross, Mr. Rickerd, Mr. Howland, Mr. G. A. Martin and Mr. Robins. In these discussions Dr. Ross pointed out that on two occasions he had raised with the Board of Governors and the Senate of York the question whether the proposed law school should be situate on the York Campus at Keele Street and Steeles Avenue or whether it should be situate downtown. He stated that both the Board of Governors and Senate of York University had been firm in their view that it must be situate on the York Campus and that accordingly affiliation with York University was only possible on this basis. Otherwise York University would develop its own law school at a later date.

Following these discussions a Memorandum Concerning Points of Agreement between York University and the Law Society of Upper Canada respecting the affiliation was prepared so that the definitive proposals would be considered by the various bodies concerned and the final proposals could then be embodied in a formal agreement. The Special Committee met on Tuesday, 14th September 1965 at 4 p.m., all members being present, and considered the draft Memorandum. The changes which it recommended were then considered by Dr. Ross and Mr. Rickerd and were embodied in the Memorandum dated 29th September 1965, a copy of which is annexed as Schedule "A" to this Report. Whilst the Memorandum has not been formally submitted to the Board of Governors and the Senate of York, Mr. Rickerd stated that the President, the Chairman of the Board of Governors and the individual members of the Executive Committee of the Senate of York University were in general agreement with it.

On 16th September 1965 the Treasurer had a meeting with Dr. J. R. McCarthy, the Deputy Minister of University Affairs to confirm the views of the Minister and the Department on the proposed affiliation. After speaking to the Minister Dr. McCarthy telephoned on 17th September 1965 and stated that the Minister considered that the question of affiliation between the Law Society and York University was entirely a matter for those two bodies. It was in no way contrary to the views of the Minister and the Department which favoured multi-faculty institutions. The Department would be sympathetic to a request by York for a capital grant for a law school because it is a multi-faculty institution. The Department did not wish to anticipate what its views would be if it were to receive a request from the Law Society for a capital grant of $1,200,000. to expand its existing premises to accommodate both the Osgoode Hall Law School and the Bar Admission Course, other than to say it would have to take a long, hard look at it. During the summer Mr. Heeney, the Law Society's architect, had confirmed that the cost (including furnishings) of expanding the existing premises of the Law Society to the full extent permissible to meet the needs of the Law Society including the Osgoode Hall Law School and the Bar Admission Course would amount to approximately $1,200,000.

On Friday, 1st October 1965 at 4 p.m. the Special Committee (all of the members being present) had a joint meeting with the Faculty of the Osgoode Hall Law School. The Treasurer presented to the Faculty the above Memorandum Concerning Points of Agreement dated 29th September 1965 as embodying the general proposals for affiliation which the Special Committee unanimously recommended should be adopted by Convocation. He asked the members of the Faculty to consider the matter and to let either Dr. Ross or himself know whether they wished to participate in the planning committees for the Osgoode Hall Law School of York University. He added that it was implicit that the only persons who should participate in such planning committees were those whose present intentions were to become members of the Faculty of Osgoode Hall Law School of York University.

The Special Committee unanimously recommends that the proposals respecting the affiliation of the Osgoode Hall Law School with York University set out in the Memorandum Concerning Points of Agreement annexed as Schedule "A" to this Report be approved.

All of which is respectfully submitted.

Dated this 13th October 1965.

"J. D. Arnup"
Treasurer.

(Note: The principal matters dealt with in the "heads of agreement" were set out in a special letter from the Treasurer to all members of the profession in November, 1965).

The Treasurer expressed his thanks to the members of the Special Committee, and especially to Mr. Howland, the Vice-Chairman.

Moved by Mr. Howland, seconded by Mr. Robins, that the Report be adopted.

The Treasurer commented on several matters with reference to the proposed affiliation and informed Convocation that the basic terms of agreement had been formally approved by the Board of Governors of York University on 13th October.

The motion was *carried unanimously.*

Moved by Mr. Howland, seconded by Mr. Robins, that the Special Committee on the affiliation of the Osgoode Hall Law School with York University be authorized to settle such further details within the principles set forth in the Memorandum Concerning Points of Agreement between York University and the Law Society of Upper Canada dated 29th September 1965 as it may consider satisfactory.

Carried.

Moved by Mr. G. A. Martin, seconded by Mr. Levinter, that the Treasurer be authorized to make a statement by way of a letter printed and sent to every member of the profession, and to issue a statement to Obiter Dicta, published by the Legal and Literary Society.

Carried.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 14th October 1965, at 3:30 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, Mr. S. L. Robins.

Direct Transfer

United Kingdom Barrister
Special Petition

Your Committee considered applications and made recommendations thereon.

Associate Professor Julien D. Payne

Professor Payne is a full-time member of the Faculty of Law, The University of Western Ontario, and has entered upon his third year of teaching there.

He asks to be called to the Bar and admitted as a solicitor without examination under the statement of policy respecting full-time members of approved Law Faculties in Ontario adopted by Convocation 19th February 1960.

Approved.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. Sheard

Your Committee met on Wednesday, the 13th October 1965, the following members being present: Messrs. Sheard (Vice-Chairman, in the Chair), Common, Gray, Harris, Howland, Keith, Levinter, W. S. Martin and Steele.

CHAIRMAN

Mr. R. F. Wilson, Q.C. was elected Chairman.

The Secretary reports that from the 1st September to the 30th September 1965 accounts, including Library Accounts, properly approved, to the amount of $26,709.55 have been paid, and $130,000.00 off the bank loan.

The Secretary also reports that from the 1st September to the 30th September 1965, Legal Aid accounts to the amount of $1,127.67 have been paid.

Noted.

FINANCIAL STATEMENT, *1st July to 30th September 1965*

Approved.

ESTIMATES, 1965-66

An estimate of the probable receipts and disbursements for the year 1965-66 is submitted herewith and recommended for approval.

ROLLS AND RECORDS

The Secretary reports—

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

J. E. Parsons, Toronto (Honorary Life Member)	Called—18th September 1908; Died—17th September 1965.
W. J. S. Knox, Sarnia	Called—20th January 1927; Died—17th September 1965.
G. J. McArthur, Blind River (Honorary Life Member)	Called—21st November 1901; Died—26th September 1965.

Approved.

(2) *Resignations*

Lillian W. Jackson was Called to the Bar on the 28th September 1950, and paid fees until the current year, 1964-65. For some time she lived in Quebec and now resides in Westfield, N.J., U.S.A. She files a declaration, and asks that her resignation be considered under paragraph 4 of the new Rule dispensing with the usual requirements.

Your Committee recommends that the resignation be accepted.

REFUNDS—LAW SCHOOL FEES—POLICY

On the 18th October 1961, the Law School fees having been increased to $400.00, the Finance Committee adopted a policy with reference to refunds which has been followed since that time:

Administration fee at any date of discontinuance	$25.00
For each week of attendance at the Law School, or part thereof	$15.00

Law School fees have now been increased to $500.00, and the following policy of deductions with reference to refunds is suggested:

Administration fee at any date of discontinuance	$25.00
For each week of attendance at the Law School or part thereof	$20.00

If a student withdraws at the end of the first term, 12 weeks, he would be charged $265.00; if he retires between the end of 24 to 30 weeks, the full fee of $500.00 would be retained.

Approved.

Refunds to certain students were then approved.

CHANGE OF NAME

Dorothy Jeanne Mallory — is entered on the rolls and records of the Law Society as "Jeanne D. Mallory". She asks that her name be changed to her proper name — Dorothy Jeanne Mallory.

Your Committee recommends that the request be granted.

SOLICITORS' PRACTISING CERTIFICATES

John Lewis Leibel — was Called to the Bar on the 17th September 1936 and has not practised since 1941, but paid Bar Fee and Compensation Fund levy where relevant to 30th November 1960. During this time he was President and General Manager of a manufacturing company. He files a cheque in the sum of $390.00 to cover arrears of Bar Fee and Compensation Fund levy and his fee for his Practising Certificate for the current year, a Declaration of Non-Practice, and two letters of character. He asks that he be reinstated and his Practising Certificate issued.

Angus William MacMillan was Called to the Bar on the 21st October 1926, and has not paid fees since 1954-55. From the 1st May 1944 to the 24th September 1965 he has served as a Magistrate in the City of Windsor. He files a cheque for $520 to cover arrears of Bar Fee and Compensation Fund levy and his fee for his Practising Certificate for the current year, Declaration of Non-Practice, and two letters of character. He asks that he be reinstated and his Practising Certificate issued.

Your Committee recommends that these requests be granted, and that the Solicitors' Practising Certificates be issued.

PARKING

The Secretary reports that the entrance to the judges' parking lot is now the main west gate on University Avenue, and the gate has to be unlocked at all hours. As a result the roadway is used for parking day and evening. On occasion it would be difficult for fire fighting equipment to get in at the south side of the building.

Your Committee recommends that the Secretary notify the Director of the Bar Admission Course and the Dean of the Osgoode Hall Law School that the respective staffs and students may not park within the grounds at any time.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Nov. 9/65, Jan. 11th, Feb. 8th, March 8th, April 12th and May 10th, 1966 — Ontario Taxation Section, C.B.A., Barristers' Lounge for meetings at 7:30 p.m.

Oct. 20th—Ontario Law Reform Commission, Family Law Project (Professor Baxter) — Reception and buffet, 6-10 p.m., Barristers' Lounge.

Nov. 24th—York County Law Association — dinner meeting, Convocation Hall and Barristers' Lounge.

Approved.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE

ORDER

The Secretary placed before Convocation the following Order which is entered in the Minutes of Convocation:

RE JOHN MILLS DRYSDALE—Striking off the Rolls.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Thursday, the 7th October 1965, at the hour of 2:15 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, and Messrs. Howland, O'Brien and Strauss.

1. PROPOSED RULING 10 AND RULING 12 — SIGNS AND LETTERHEADS

At its meeting in September your Committee recommended to Convocation a new Ruling 10 consisting of a blend of the present Rulings 10 and 12. Convocation referred the matter back to the Committee for further consideration on a broader basis particularly as to the question of firm names including the names of deceased persons and the distinction between firm names and the list of personnel of firms.

It is not the present intention of the Committee to deal with existing firm names except as they are dealt with by the existing Rulings. It is the Committee's view that the question of future Rulings for firm names should only be considered by a Special Committee if Convocation feels it should now be dealt with.

2. PROPOSED NEW RULING — DIVISION OF FEES

At its meeting on the 9th September 1965, your Committee considered a draft Ruling concerning "kick-backs" within the profession. The matter was allowed to stand so that members could consider the wording of the Ruling of the American Bar Association on this subject.

Your Committee recommends that the following proposed new Ruling be published in the Ontario Reports to obtain the views of Convocation and of the profession generally:

PROPOSED NEW RULING — DIVISION OF FEES

> "No division of fees for legal services is proper except with another lawyer, based upon a division of service or responsibility."

3. PROPOSED NEW RULING 33 — NOTIFICATION OF BREACHES TO THE SOCIETY

At its meeting on the 9th September your Committee recommended a proposed new Ruling 33 and Convocation referred it back to the Committee for further consideration.

Your Committee recommends the following new Ruling be adopted:

RULING 33

NOTIFICATION OF BREACHES TO THE SOCIETY

> Unless it be unlawful it is proper for any member to bring to the attention of the Society any instance involving or appearing to involve professional misconduct or conduct unbecoming a barrister, solicitor or student-at-law or reflecting on the honour of the Bar and the duty of every member to bring such instances to the Society's attention when they involve shortage of trust funds.

THE REPORT WAS ADOPTED

Moved by Mr. O'Brien, seconded by Mr. Howland, that Convocation take no further action with reference to Ruling 10 on firm names, except as to the matter of the inclusion of judges' names in firm names.

Carried.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 13th October 1965, the following members being present: Messrs. Steele (Chairman), Common, Harris, Levinter, McCulloch, W. S. Martin and Strauss.

Library Staff

Your Committee reports that Mr. James F. P. Lynn has been engaged as Library Assistant from 23rd September 1965.

Judge Farquhar J. MacRae Presentation

Your Committee reports the presentation by His Honour Judge MacRae of the hand-written Minutes of the Court of Requests, Division No. 13, Niagara District, for the period 15th July 1837 to 30th April 1842. The Court of Requests handled claims up to forty shillings. Your Committee recommends that this record be suitably preserved in the Law Society's Muniments and Memorabilia Room and that a letter of thanks be written to His Honour Judge MacRae in acknowledgment.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE—Mr. Ford

Your Committee met on Wednesday, the 13th October 1965, the following members being present: Mr. G. W. Ford, Chairman, and Messrs. Cassels, Common, Harris, Keith, Levinter, Martin, W. S., McCulloch, McLaughlin, O'Brien, Strauss and Wright.

ONTARIO REPORTS — *Contract for printing*

The contract with Canada Law Book Company to print the Ontario Reports expires 31st December 1965.

At its meeting in September, your Committee recommended the appointment of a Sub-Committee consisting of four members: Mr. Ford, Chairman, and Messrs. Levinter, O'Brien and Strauss, to meet with The Carswell Company Limited and Canada Law Book Company Limited (the two companies interested in printing the Reports), and to report back to the Committee on their recommendations as to the awarding of the contract.

The Sub-Committee met on Wednesday, 22nd September with representatives from the Carswell Company, and on Friday, 24th September with representatives from Canada Law Book Company. Both companies were asked to submit a proposal for a five year contract, including a price per page for edited reports, and a price per page for other material. They were also requested to inform the Committee of their proposed editorial arrangements. Proposals have been received from the two companies. A chartered accountant has been retained to review the effects of certain escalator provisions in the proposals.

Your Committee recommends that the matter of awarding the publishing contract be referred back to the Sub-Committee for further consideration and report to your Committee.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on Friday, the 15th October 1965, the following members being present: Mr. R. L. Seaman (Chairman), and Messrs. Beament, Creighton, Fennell, Ford, Levinter, Martin, W. S., Raney, Steele and Strauss.

CANADA PERMANENT TRUST COMPANY

At its April meeting, your Committee reviewed correspondence from a Toronto Solicitor, and a Chatham Solicitor, concerning an advertisement of a Trust Company with respect to the preparation of income tax returns. The Committee referred the matter to counsel for an opinion on whether the advertisement violated The Solicitors Act.

Counsel discussed the offending advertisement with senior executives of the trust company. He was assured that the advertisement had been published without the executives' knowledge. It was agreed that the advertisement was offensive, and that this type of advertising would not appear again.

RE A CHARTERED ACCOUNTANT

At its January meeting, the Committee reviewed correspondence from the Secretary of the Halton County Law Association, with respect to a Chartered Accountant incorporating companies. At the request of the Committee, the Assistant Registrar of the Institute of Chartered Accountants of Ontario wrote to the accountant, asking for his comments. His reply, forwarded by the Assistant Registrar, was reviewed by the Committee at its June meeting, and the Secretary was requested to send the correspondence to counsel for an opinion.

The Committee reviewed a letter from counsel at its October meeting, wherein he advised the Committee that as a result of his investigation, it was his opinion that the accountant had not realized that his practice of incorporating companies was a violation of The Solicitors Act. The accountant further informed counsel that he has satisfied himself that he should not incorporate companies.

Your Committee recommends that no further action be taken.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE—Mr. Fennell

Your Committee met on the 15th October 1965, the following members being present: Messrs. Fennell (Vice-Chairman), Beament, Creighton, W. S. Martin, Raney, Seaman, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports specially that the Nipissing Law Association, having failed to file its annual returns within three months from the 15th January 1965, has now filed its returns and otherwise complied with the Rules adopted from time to time relating to county law libraries and recommends that a grant be made to it of $641.67 less 10% penalty, $577.50.

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on Thursday, the 14th October 1965, the following members being present: Messrs. W. S. Martin (Chairman), Gray, McCulloch, O'Brien and Raney.

Mr. James A. Cowan, Public Relations Consultant, was present by invitation.

PUBLIC RELATIONS PROGRAMME — *"Buying a Home? Why You Need a Lawyer."*

(1) The *French language version* has now been revised, carefully checked in proof, and finally checked by two University of Toronto French professors who say there is no room for improvement.

Approved.

(2) *Check Lists* — Mr. Cowan has submitted check lists for the guidance of the local Law Associations in London, Ottawa and Sudbury.

Approved.

(3) *Public Relations Programme — County Law Associations*

As recommended by the Committee, the Secretary on 17th September wrote to all the County and District Law Associations outlining the present programme, plans for the future, and enclosing a list of further subjects under consideration. Replies were received from four associations, some with suggested subjects: Carleton, Lennox & Addington, Lincoln, and Welland.

Noted.

(4) *Suggested Direct Distribution*

Pursuant to a memorandum of 27th September 1965 from Mr. Cowan, your Committee recommends that he be requested to inform Credit Unions and Personnel Managers in London, Ottawa and Sudbury, through their respective head offices in Toronto, of the Public Relations programme already under way in those cities, and supply them with copies of the pamphlet for distribution to their members, including in Ottawa and Sudbury the French version; that the Secretary inform the three County Law Associations of this action and request them to cooperate with the Credit Unions and Personnel Managers, and supply them with further copies of the pamphlet if requested.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Levinter

Your Committee met on Thursday, the 14th October 1965, the following members being present: Messrs. Levinter (Chairman), Steele (Vice-Chairman) and Strauss.

GOVERNMENT GRANT

By letter dated 29th September 1965 the Attorney General notified the Treasurer that the Treasury Board has increased the grant to the Legal Aid Fund from $20,000.00 to $35,000.00 a year as recommended by the Committee. The Grant is increased for the present Government fiscal year, and a cheque has been requisitioned for the extra $15,000.00 which will be sent to the Society in a lump sum. The original grant of $20,000.00 is paid in quarterly amounts of $5,000.00 each.

Your Committee notes with appreciation the increased grant by the Ontario Government, and recommends that the

Chairman write to the Attorney General thanking him for his valuable assistance.

LEGAL AID PLAN — *Provincial Director*

Your Committee recommends that, effective 18th October 1965, Mr. Andrew M. Lawson, Deputy Secretary, be appointed Provincial Director of the Ontario Legal Aid Plan in place of Mr. W. Earl Smith, Secretary.

THE REPORT WAS ADOPTED

The Treasurer reported that he had received a letter dated the 21st September 1965 from the Attorney General asking the Law Society to propound a scheme for the implementation of a plan of legal aid as recommended by the Joint Committee, and that he proposed a Legal Aid Programme Committee composed of Messrs. D. A. Keith, Q.C., (Chairman), G. E. Beament, Q.C., Ottawa; W. Gibson Gray, Q.C., Toronto; Elmore Houser, Q.C., Toronto; Robert F. Reid, Q.C., Toronto; Charles Sale, Q.C., Windsor; W. H. Waugh, Welland; Consultant, W. B. Common, Q.C.; Secretary, Andrew M. Lawson; such Committee to report to Convocation through its Chairman.

Moved by Mr. Levinter, seconded by Mr. O'Brien, that Convocation approve the Treasurer's suggestion, and the composition of the Special Committee.

Carried.

CONTINUING EDUCATION COMMITTEE—Mr. Robins

Your Committee met on Thursday, the 14th October 1965, the following members being present: Messrs. Robins (Chairman), Gray, Howland and O'Brien.

CONTINUING EDUCATION 1965 — *"The Lease in Modern Business"*

The total number registered for the special course of lectures this year was 575. Approximately 43% of the profession registered were from outside the Metropolitan Toronto area, and covered the Province generally. Fifty members of the Ontario Association of Real Estate Boards were invited to attend at the regular fee. The usual buffet luncheons were held on each Saturday. Richard DeBoo Limited printed the lectures and copies have been distributed to all those who registered for the course. Copies at special prices were supplied to the Law Society for its subscribers, the Great Library, County Law Associations, and law students enrolled in approved Law Schools in Ontario. The general sale price is $17.50. Specially bound volumes have been presented to the lecturers and members of the Committee. Richard DeBoo again provided the Secretary with a sufficient number of copies so that one could be presented to each of the other Canadian Law Societies, the Law Society of England and certain selected law libraries.

A financial statement in connection with the lectures for 1965 was presented.

Continuing Education 1966

Your Committee considered a programme to be called, "Recent Developments in the Law". This course would be designed to keep practising members of the profession abreast of changes in the Statutes and in case law; the lecturers would be members of academic staffs.

The following subjects have been considered:

Torts
Family Law
Criminal Law
Contracts
Commercial Law
Wills and Administration of Estates
Real Estate
Municipal Law.

The lectures will be held on 11th and 12th, and 18th and 19th March 1966.

Continuing Education in the Future

Your Committee considered the future of Continuing Education in Ontario and discussed the feasibility of the appointment of a full-time Director of Continuing Education. Your Committee will report again when the matter has been further considered.

THE REPORT WAS ADOPTED

Remembrance Day Service

Arrangements for observance of Remembrance Day were referred to a Committee composed of Messrs. Wright and Ford, who were given power to act.

PRESENTATION

Mr. S. E. Weir, Q.C., has presented to the Law Society the following documents:

1. Abstract of Title of Lands at Staplehurst, Sheppy & Hedcorn, Kent, 20th September 1608.
2. Deed of Recovery between Wegg and Giles Taylor, 1752.
3. Deed of Witness, 20th June 1783.

ORDERED that these presentations be received with thanks.

CONVOCATION ADJOURNED AT 12:45 P.M.

The Treasurer and Benchers entertained at luncheon the Honourable Mr. Justice Bora Laskin and Dean H. Allan Leal, Q.C.

A special Meeting of Convocation was held at 2:30 p.m., a quorum being present:

The Treasurer, Benchers, their guests, and members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded to Convocation Hall and took their places on the dais.

The body of the Hall was occupied by the graduating students and scholarship and prize winners of the First and Second Years, their families and friends.

CONFERRING OF DEGREES

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee, requested the Treasurer to confer upon the following candidates who had completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws. The Dean presented the candidates and the Treasurer conferred the degrees:

Bruce Russell Allen
Michael Edward Cass
David Findlay Charlton
Michael Chykaliuk
Paul Douglas Copeland
Bernard Cugelman
Joel Phillip Freedman
Garfield Robert Green
Ronald King
Stewart Neill Martin
Harold Jay Miller
Glenn Alan Joseph MacPherson
John Victor Patrick O'Donnell
Gale Weekes Robertson
Peter Michael Scandiffio
Alfred Joseph Stong

In absentia

William Wilson Smallman
Sheldon Charles Vanek

The Treasurer then presented the scholarships and prizes won by the students of the First and Second Year classes in the session 1964-65, as follows:

FIRST YEAR

The Law Society Scholarship for attaining First place with Honours
Donald Harris Lapowich

The Samuel Factor Memorial Prize
Donald Harris Lapowich

The Prize in Torts
Donald Harris Lapowich

The Richard Halliburton Greer Memorial Prize
Seymour Wilfred Schwartz

The Lawyers Club War Memorial First Prize
Thomas Elias Maki

The Lawyers Club War Memorial Second Prize
William George John Swybrous

The Kenneth Gibson Morden Memorial Prize
Irving Kumer

The First Prize in Legal History
James Howard Freeman Dunham

The Second Prize in Legal History
Cyril Jobe Abbass

SECOND YEAR

The Law Society Scholarship for attaining First place with Honours
Thomas Giles Heintzman and James Shael Leibel (equal)

The Reading Law Club Prize
Robert Holmes Blackburn

The Canada Permanent Trust Company Prize
Robert Holmes Blackburn

The Ivan Cleveland Rand Scholarship
David Michael Montcalm

The Prize in Company Law
Myron Matlow
George Francis Gray Pooley

The William Bruce Henderson Prize
John Bruce Lubell

The Prize in Family Law
Courtney Henry Foster

The Treasurer congratulated the new graduates and the scholarship and prize winners, and introduced the Honourable Mr. Justice Laskin, who addressed Convocation.

CONVOCATION THEN ROSE

At the conclusion of the ceremonies the Treasurer and Benchers entertained the graduates, and scholarship and prize winners and their families and friends at a reception in the Law School cafeteria.

J. D. ARNUP
Treasurer

[1966] O.R. v. 1-2

MEETING OF CONVOCATION

FRIDAY, 19TH NOVEMBER 1965
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Beament, Cassels, Chitty, Clement, Creighton, Davis, Fennell, Ford, Gray, Gregory, Harris, Howland, Jamieson, Keith, Levinter, Maloney, W. S. Martin, McCulloch, O'Brien, Pattillo, Raney, Robins, Roebuck, Seaman, Sheard, Slemin, Starr, Steele, Strauss, Weir, Williston, P. D. Wilson, R. F. Wilson, and Wright.

The Minutes of the Meeting of Convocation of 15th October 1965 were read and confirmed.

The Treasurer reported that his letter to the profession, respecting Osgoode Hall Law School Affiliation with York University, is in the hands of the printer, and will be sent out in the near future. A separate page of the letter will refer to the request of the Attorney-General that the Society propose a scheme to implement the Report of the Joint Committee on Legal Aid, and announcing the appointment of a Legal Aid Programme Committee. It gives the names of the Committee members, and asks for the support of the profession in maintaining the present legal aid plan until the broader programme can be implemented.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 18th November, 1965, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Gregory, Jamieson, Pattillo, Seaman, Sheard, Slemin, Starr, Williston and R. F. Wilson.

BAR ADMISSION COURSE

ANNUAL REPORT

The Director's Annual Report, a copy of which is attached forming part of this Report, was approved.

TO: The Legal Education Committee
FROM: The Director of the Bar Admission Course

REPORT

I wish to report on the state of the Bar Admission Course at this date.

Numbers

In the teaching period which began on 13th September, 1965, there are 266 students of whom six are repeating the course who failed it last year and one who failed in 1963.

Under articles, there are 290 students who came from the following institutions and jurisdictions:

English Solicitor	1
Commonwealth Transfers	2
Dalhousie	7
Manitoba	2
New Brunswick	1
Osgoode Hall	136
Ottawa	26
Queen's	29
Toronto	58
Western	28

The five Ontario law schools awarded LL.B.s in 1965 to 295 people. It will, therefore, be seen that all but eighteen entered the Bar Admission Course this year. Last year, of 260 LL.B.s, 254 entered.

Curriculum

This year there is only one change in the curriculum. The course on Company Law has been extended to two weeks and the course on Commercial Law has been reduced to one week. It is plannd to cover all, or nearly all, of the same ground in the Commercial Law course as has been covered in the past by working the faculty and the students a little harder. The Company Law course has a new Head, Mr. D. A. Berlis, Q.C., who is replacing Mr. J. A. Mullin, Q.C., who resigned last year. Mr. Berlis has already completed his series of nine lectures and has been working steadily for the last nine months with his instructors to coordinate their activities with the groups and to implement their suggestions for ways in which this course can be more comprehensive.

The The Civil Procedure II course this year was conducted by Mr. Donald A. Keith, Q.C. as Head, who took over after

Mr. Brendan O'Brien, Q.C. resigned. Mr. Keith appointed Mr. David Griffiths, Q.C. as his Assistant and they met regularly with their instructors for several months before this course began. As a result they were able to add to the teaching structure erected by Mr. O'Brien so that, in the result, these two weeks were packed tighter with useful material. Mr. O'Brien had begun the practice of teaching partly by way of problems to be solved by the students themselves and Mr. Keith has gone farther along this line. In addition he revised the morning lectures.

This year Mr. Keith enlisted some of our most eminent senior practitioners to give a course on "Advocacy" by way of a series of special lectures. Messrs. Carson, Kellock, Martin, Sedgwick and Sheard (to name them alphabetically) took part in this series working roughly from the series that Dr. R. E. Megarry, Q.C. had delivered last year. The students' reaction was one of tremendous enthusiasm. This is one of the most difficult subjects to teach and I think we have found a good way to handle it.

Mr. Kenneth Jarvis has now taken over as the Head of the Course on Professional Conduct. Last year, for the first time, demonstrations were given of proceedings before the Discipline Committee exemplifying both its traditional function of dealing with charges against members of the Society and its newer function of administering the Compensation Fund. Mr. Jarvis plans several new experiments this year as well.

There is every reason to hope that we shall finally do what can be done by means of practical education to give our graduates a proper view of their responsibilities as lawyers.

Faculty

Instructors have come and gone but there has been no difficulty in obtaining good people to replace those who have resigned for one reason or another. These days no one ever refuses to serve. I think this is because we were so careful in the early stages of the Course to select the best possible people so that it is now thought to be an honour to be asked to join such a distinguished group.

Student's Handbook

Last year I reported that a Student's Handbook, giving check lists of work that the students should have carried out while under articles was in the course of preparation. The book was printed too late for last year's students to be able to make the fullest use of it because they only received it three months before their articling period was over. This year, every student and his principal has received it at the beginning of the articling period and, while it is too early to know how much reference is being made to it, I am hopeful that both students and principals are finding it helpful.

Interest of Other Jurisdictions

This year Miss Anne Massey of the New Zealand bar is taking the teaching period, not in order to qualify for the bar of Ontario, but to study the Course itself. From my conversations with her she is enjoying the course and finding it worthwhile though she probably could not be expected to tell me anything else. At any rate she is still here and never misses any part of the work. Mr. Jacob Sofolahan, Secretary of the Bar Council of Nigeria spent the better part of a week with Mrs. Knox and me in August studying the operation of the Course.

The address I gave to the Allegheny County Bar Association, Pittsburgh in September, 1964 has been printed in the Solicitors' Journal, published in London, England, 24th September 1965 issue.

I cannot close without referring to the fact that a great deal of the work in the Bar Admission Course is done cheerfully and without hope of reward by members of the governing body. They act as heads of courses and special lecturers in a surprisingly large number of instances and they constantly surprise me with their willingness to work and their faithfulness to the commitments they have made. If it were not for an occasion like this much of what they do would go unrecognized and I am glad to set forth their names and their functions.

L. M. Ball, Q.C.	Special instructor in the Estate Planning course.
G. E. Beament, Q.C.	Takes part in the Professional Conduct demonstration.
C. F. H. Carson, Q.C.	Special lecturer in Civil Procedure II course.
T. K. Creighton, Q.C.	Takes part in the Professional Conduct demonstration.
W. G. C. Howland, Q.C.	Special lecturer in the Real Estate course.
D. A. Keith, Q.C.	Head of the Civil Procedure II course.

The Hon. R. L. Kellock, Q.C.	Special lecturer in Civil Procedure II course.
G. A. Martin, Q.C.	Consultant in the Criminal Law course; Special lecturer in Civil Procedure II course.
W. S. Martin, Q.C.	Takes part in the Professional Conduct demonstration.
Brendan O'Brien, Q.C.	Takes part in the Professional Conduct demonstration.
A. S. Pattillo, Q.C.	Takes part in the Professional Conduct demonstration.
Joseph Sedgwick, Q.C.	Special lecturer in Civil Procedure II course.
Terence Sheard, Q.C.	Joint Head of the Estate Planning course; Special lecturer in Civil Procedure II course; Special lecturer in Surrogate Court Practice course.
N. Strauss, Q.C.	Special lecturer in Real Estate course.
W. B. Williston, Q.C.	Head of the Civil Procedure I course.
Peter Wright, Q.C.	Takes part in the Professional Conduct demonstration.

I must also refer to the Chairman and Vice-Chairman of this Committee, Messrs. W. G. C. Howland and Sydney Robins. Mr. Howland, besides being ready at all times to discuss and advise on the problems which arise, serves on the Bursaries Committee and the Board of Review which takes final responsibility for the students' grades. Mr. Robins serves on the Board of Review and is also of great help and support whenever the Director needs advice.

Respectfully submitted.
"R. J. Roberts"

7th November 1965.

ARTICLING — OBSERVATIONS BY STUDENTS AT UNIVERSITY OF TORONTO

A letter addresed to the Chairman from the Students' Law Society at the University of Toronto concerning the system of articles and the payment articled students receive was before the Committee.

Your Committee recommended that the Students' Law Society be invited to provide a comprehensive brief as suggested in their letter.

OSGOODE HALL LAW SCHOOL

BURSARIES

On the 13th October 1965, the Lawyers Club wrote to the Secretary setting forth a Resolution of the Club that $2,400.00 be given to the Society for Bursaries for students in the Bar Admission Course, and $800.00 for Buraries for students in Osgoode Hall Law School. Cheques representing those amounts were enclosed.

The Secretary wrote to the President of the Lawyers Club expressing the thanks of the Treasurer and Benchers for the Club's generous contribution and for its continued interest in legal education.

SALARY SUB-COMMITTEE

The report of the Sub-Committee on Salaries, was approved, having already been approved by the Finance Committee and its Sub-Committee on Salaries.

SABBATICAL LEAVE — PROFESSOR A. M. LINDEN

Your Committee refused Professor Linden's request that he be granted sabbatical leave for the fall term of 1966, or alternatively for the spring or fall terms of 1967.

LAW SCHOOL MEDALS — SUMMER COURSES 1919-1920

In the summers of 1919 and 1920 extra sessions were given for veterans of the First War.

In the summer of 1919 those passing the first three places were Harold C. Walker, Hugh C. Cameron (St. Thomas) and Harold G. Fox. In the summer of 1920 the first three places were taken by Charles P. McTague, Howard C. Green (formerly Secretary of State for External Affairs) and Roy W. Lent (deceased).

These men were not given the usual medals because the Legal Education Committee and the Benchers said they were not "in due course" and hence not entitled. The students were not "in due course" because they had been fighting in the Armed Forces.

This matter was before the Committee on the 17th May, 1962, and allowed to stand pending a report from the Deputy Secretary upon the circumstances in which the decisions were reached in 1919 and 1920. Subsequently, when the report was considered, your Committee recommended that no action be taken.

At its meeting on the 18th November 1965, the question was again before your Committee whether the original decision should now be reversed and medals awarded to these six men.

Your Committee recommended that no action be taken.

Moved by Mr. Howland, seconded by Mr. Robins that the Report be adopted.

Moved in amendment by Mr. Cassels, seconded by Mr. Starr, that the Report be amended by striking out the recommendation of the Committee with reference to "Law School Medals - Summer Courses 1919-1920", and awarding the appropriate medals to the six persons named in the Report.

The amendment was carried.

The Report, as amended, was adopted.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee me on Thursday, the 18th November 1965, at 3:30 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Jamieson, Pattillo, Robins and R. F. Wilson.

Call to the Bar and Certificates of Fitness

Special

The following candidates having filed the necessary papers and complied with the requirements of the Admissions Committee in their particular cases, now apply for call to the Bar and to be granted Certificates of Fitness:

Alfred William Rooke Carrothers	- Special - Dean, Faculty of Law, The University of Western Ontario - Barrister & Solicitor of British Columbia - Fee $200.00. *Approved*
Julien David Payne	- Special - Faculty of Law, The University of Western Ontario - Fee $200.00 *Approved*

Admission of Students-at-Law

The following candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of 1st September, 1965:

Under Bar Admission Regulations - Part II - No. 2

287. Arcand, Robert Yvon Joseph	B.A. Laurentian 1962; LL.B. Osgoode 1965.
288. Blankstein, Murray Edward	B.A., LL.B. (Man.) 1961. M.B.A., LL.M. (Col. U.S.A.)
289. King, Ronald	B.A. Toronto 1965; LL.B. Osgoode 1965
290. O'Donnell, John Victor	B.A. Toronto 1961; LL.B. Osgoode 1965.

Approved

Your Committee considered applications with reference to a United Kingdom Barrister, a Commonwealth Transfer, Direct Transfers and a Special Petition and made recommendations thereon.

THE REPORT WAS ADOPTED

Call to the Bar

The following candidate was presented to the Treasurer and Convocation, was Called to the Bar, and the degree of Barrister-at-law was conferred upon him by the Treasurer:

Julian David Payne, of the Faculty of Law.
University of Western Ontario.

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on Wednesday, the 17th November 1965, the following members being present: Messrs. R. F. Wilson (Chairman), Sheard (Vice-Chairman), Harris, Howland, Levinter, McLaughlin, Slemin, Steele and Weir.

Financial Statement, *1st July to 31st October 1965*

Approved

ROLLS AND RECORDS

The Secretary reports—

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

R. P. McBride, Q.C., Hamilton (Honorary Life Member)	Called—15th April 1912 Deceased—19th June 1965
F. P. Varcoe, Q.C., Ottawa	Called—16th November 1916 Deceased—15th October 1965.
John D. Affleck, Q.C., Ottawa	Called—19th June 1941 Deceased 10th November 1965.

Noted

(2) *Resignations*

Clarence Allen Paul was called to the Bar on the 16th September 1915, and has paid fees until the year 1964-65.

Morley Carman van der Voort was called to the Bar on the 22nd May 1919, and has paid fees to the end of the current year.

Irwin Arnold Blackstone of Calgary, Alberta, was called to the Bar on the 19th October 1944, and paid fees until the current year.

Your Committee recommends that these three resignations be accepted.

HONORARY LIFE MEMBERSHIP

Pursuant to a policy amended and adopted by Convocation on the 15th January 1960, the Secretary reports that as of 1st December 1965 the following become Honorary Life Members of the Law Society of Upper Canada:

Barristers and Solicitors	*Address*	*Date of Call*
Frederick Armstrong Addison Campbell, Q.C.	Toronto	Easter 1915
Roland Oliver Daly, Q.C.	Toronto	Easter 1915
Colin Fraser Elliott, Q.C.	Ottawa	Easter 1915
Loyola Vincent Fitzpatrick	Brockville	18 November 1915
Charles Hugh Higgins	Hamilton	18 November 1915
Gordon Burgess Jackson, Q.C.	Port Credit	Easter 1915
Norman Alexander Keys, Q.C.	Toronto	Easter 1915
Charles Francis Leonard	Toronto	Easter 1915
Gerald Morphy Malone, Q.C.	Toronto	Trinity 1915

Harold Ernest Manning, Q.C.	Toronto	Easter 1915
William Sargent Montgomery, Q.C.	Toronto	Easter 1915
Howard Morwick	Toronto	Hilary 1915
Ewen James MacEwen	Sarnia	18 November 1915
Homer Brock Neely	London	18 November 1915
Harvey Obee	Toronto	Hilary 1915
Wilfred Wright Parry, Q.C.	Toronto	Easter 1915
Maxwell Cline Purvis, Q.C.	Toronto	Easter 1915
Frederick Coverdale Richardson	Cobourg	Easter 1915
James Morgan Riddell, Q.C.	Stratford	Easter 1915
Sydney Ellis Wedd, Q.C.	Toronto	Easter 1915
Roy Beverley Whitehead, Q.C.	Toronto	Trinity 1915
William Roy Willard	Toronto	Trinity 1915
JUDGES		
Thomas M. Joseph Galligan	Pembroke	Trinity 1915
Colin William George Gibson	Ancaster	Easter 1915
Percy Edwin Frederick Smily	Toronto	Trinity 1915

Approved

SUB-COMMITTEE ON SALARIES — FACULTY, OSGOODE HALL LAW SCHOOL

The Sub-Committee on Salaries, consisting of the Treasurer, the Chairman and Vice-Chairman of the Finance Committee, and Messrs. Howland, Keith and Levinter, met on the 17th November 1965 to consider the salaries of the full-time teaching staff of the Osgoode Hall Law School. The Sub-Committee had the assistance of recommendations by a Sub-Committee on Salaries of the Legal Education Committee.

The Sub-Committee now recommends to the Finance Committee certain increases in salary, to take effect 1st July 1966, subject to the approval of York University.

Your Committee approves of the recommendations of the Sub-Committee on Salaries, subject to the approval of York University.

LUNCHEON ROOM

Miss Margaret Lennox presents a statement of the operation of the luncheon room for the year ending 31st August 1965, showing a gross profit for the year of $4,369.08. During the year 32,030 meals were served, of which 4,411 were special dinners.

Noted.

OSGOODE HALL LEGAL AND LITERARY SOCIETY — *Grant*

The Legal and Literary Society presents an outline of its activities for the current year, and asks for a grant of $15,815.96.

The Treasurer of the Society also asks for an interim grant of $2,500.00.

Your Committe recommends that the question of the grant be referred to the Dean for consideration and report; and that an interim grant of $2,500.00 be made out of the Law School budget.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Nov. 3rd—The Criminal Justice Subsection (C.B.A.) request the use of the Barristers' Lounge for the evening of November 3rd.

Nov. 29th—The Medico-Legal Society request permission to use Convocation Hall and the Barristers' Lounge for a dinner meeting.

Nov. 30th—The Civil Liberties Subsection (C.B.A.) request permission to use the Barristers' Lounge for a meeting on the evening of November 30th, 8-11 p.m.

Dec. 3rd—International Law Association, Toronto Branch, request the use of Convocation Hall and the Barristers' Lounge on Saturday evening, December 4th.

Dec. 22nd—The Registrar, S.C.O. requests permission to use the Barristers Lounge and Convocation Hall for their staff Christmas party, 5-11 p.m.

Approved.

CANADIAN BAR ASSOCIATION — Mid-Winter Meeting, Ontario Branch, 4th-5th February 1966

Mr. George S. P. Ferguson, Q.C., Vice-President for Ontario of the Canadian Bar Association, on behalf of the Executive, requests the Law Society of Upper Canada to hold a luncheon at the Royal York Hotel on Saturday, 5th February 1966, to be followed by the Statement of the Treasurer to the members present.

Your Committee recommends that the usual luncheon be given for members of the Canadian Bar Association only, that the Law Society pay for the luncheon and for one-half of the reception beforehand, not to exceed the sum of $500.00.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE—Mr. O'Brien

REPORT ON POLICY

On 29th October and on 8th November 1965, your Committee met to consider some general problems. At the first meeting the following members were present: Mr. Brendan O'Brien, Chairman, Mr. Donald Keith, Vice-Chairman, and Messrs. Common, Gray, Howland, McLaughlin, Pattillo and Starr. At the second meeting the following members were present: Mr. Brendan O'Brien, Chairman, Mr. Donald Keith, Vice-Chairman, and Messrs. Bruce, Common, Gray, Howland, Levinter, McLaughlin, Maloney, G. A. Martin, Williston and Wright.

1. COMPENSATION FUND — JOHN MILLS DRYSDALE

Mr. Drysdale was disbarred on the 28th September 1965, and according to statements he gave to the Police there are potential applications to the Compensation Fund totalling $160,000.00. Some of these which have already been filed may not result in grants, but it is entirely likely that the good applications will exceed the $50,000 limit which Convocation has adopted with respect to any one solicitor subject, of course, to the Committe's discretion.

In the circumstances your Committee recommends:

(a) that an advertisement be run in the newspapers inviting claimants to file applications;

(b) that no payments be made for six months;

(c) that all applications be considered at one time;

(d) that young counsel be retained to arrange the applications and to interview Mr. Drysdale with respect to each.

2. COMPULSORY ANNUAL AUDITOR'S REPORT

At the meeting on the 29th October 1965, your Committee referred to Mr. Common and the Secretary of the Committee the question of the consequences which should follow failure to comply with the Society's Rule which reads as follows, and surrounding problems:

"As a condition of receiving his annual certificate enabling him to practise, every member of the Society shall on or before the 30th day of November in each year file with the Society either a report duly completed by a public accountant and signed by the member in the form annexed as Schedule "A" or a statutory declaration setting forth that during the preceding 12 month period he has not handled or been responsible for any clients' trust funds or clients' valuables."

The report of the Sub-Committee read in part as follows:

"The matter was considered on the 2nd of November and your sub-committee reports as follows:

The Rule was passed under Section 43 subsection (d) of The Law Society Act which enables the Benchers to make rules and regulations respecting the keeping by Barristers and Solicitors of accounts and records containing proper particulars and other information as to monies received, held, or paid by them for or on account of clients.

The only sanction provided by the Rule is the withholding of a member's annual certificate to practise.

Your sub-Committee recommends with respect to this year

1. that on or about the 15th December 1965 those who have not complied with the Rule should be sent a letter from the Society drawing to their attention the requirements of the Rule and their failure to comply with it and stating that if they had not complied by the 3rd January 1966 the matter will be reported to the Discipline Committee.

2. that with respect to those who has not complied with the Rule by the 3rd January 1966 the Discipline Committee under Rule 10 of the Rules Respecting Accounts may instruct auditors to examine the member's books and accounts;

3. that the following Rule be recommended to Convocation to be passed under subsection (g) of Section 43 of The Law Society Act as subsection (2) of Rule 10 of the Rules Respecting Accounts:

> The expense or part of the expense of any investigation made under this Rule may be ordered by the Benchers or by the Discipline Committee to be paid to the Society by the member or members whose books and accounts have been investigated."

Your Committee so recommends.

The Sub-Committee made a further recommendation which your Committee intends to put before Convocation when it meets in January, 1966.

THE REPORT WAS ADOPTED

RE: PETER LEWIS SLAGHT

At the meeting of Convocation on the 18th June 1965 the Report of the Discipline Committee was referred back for further consideration and amendment.

The Committee now reported that it met on the 8th October and on the 5th November 1965 when all of the evidence was carefully reconsidered and further evidence heard respecting the solicitor's health.

The Committee concluded that the facts set out in its original Report had been correct, but that during the period in which the events complained of took place, the solicitor, although aware of what he was doing, did not appreciate the consequences of his conduct.

The Committee unanimously concluded, but without great certainty, that the case was marginal and that, having regard to the fact that the complaints related to an isolated transaction and that the solicitor's condition did not allow him to practice, the public and the profession would be protected if he were allowed to resign upon undertaking that he would never apply to be reinstated. The Committee so recommended.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

The solicitor attended with his counsel, Donald D. Carrick, Esq., Q.C., who addressed Convocation.

THE REPORT WAS ADOPTED

CONVOCATION ADJOURNED AT 12:50 P.M.

CONVOCATION RESUMED AT 2:15 P.M., a quorum being present.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Wright

Your Committee met on Friday, the 12th November 1965, at the hour of 2:15 o'clock in the afternoon, the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Slemin and Strauss.

1. RULING 10 — SIGNS

After the enactment of Ruling 10, your Committee had inspections made of some twenty-five law offices in Toronto. Letters were sent to the lawyers involved inviting their comments. The photographs, descriptions and letters were referred to a Sub-Committee of your Committee. The Report of the Sub-Committee was considered and it was adopted in the following form as a recommendation to Convocation:

> "Your Sub-Committee composed of Messrs. O'Brien and Strauss met at 2:00 p.m. on the 3rd of November, 1965, and examined each of the photographs and accompanying descriptions which had been made by Mr. Koopman.
>
> Your Sub-Committee recommends —
>
> (1) that each of those to whom the Society has written, be informed that he was not singled out for attention but that many others have been written to and that the Committee will continue seeking out signs which do not conform to the Ruling;
>
> (2) that to those who have said they will comply, a letter go thanking them and asking them to let us know when they have in fact complied;
>
> (3) that to those who have not indicated that they will comply and to those who have indicated they would prefer not to comply with the Ruling, a letter be sent in the following general form altered to fit the particular circumstances:
>
>> 'The Professional Conduct Committee has carefully considered your submission but is of the opinion that your sign offends Ruling 10. Accordingly your sign should be changed to comply with the Ruling.
>>
>> Please attend to this within thirty days from this date and advise me when the change has been made.'
>
> (4) that with respect to a particular illuminated sign at the entrance to a shopping plaza where the various services available in the plaza are listed and which includes the word "lawyer", the lawyer in question be asked to see that the sign is removed as offending Ruling 10;

(5) that with respect to a member whose office is identified by five signs, it be suggested to him that as a matter of good taste he should reduce the number of signs.

All of which is respectfully submitted."

Your Committee instructed the secretary to make arrangements for continuing the inspection both in Toronto and elsewhere throughout the province, and asked him to find out what the Rule of the medical profession is with regard to signs.

2. PROPOSED NEW RULING 16 — DIRECTORIES AND ANNOUNCEMENTS

A proposed new Ruling 16, after submission to Convocation, was published in the Ontario Reports and a number of helpful comments were received from members of the profession. These were referred to a Sub-Committee of your Committee. The Report of the Sub-Committee was considered and adopted in the following form:

"Your Sub-Committee composed of Messrs. Howland and Keith met at 2:15 p.m. on Thursday, the 4th of November, 1965, to consider correspondence relating to proposed new Ruling 16.

Your Sub-Committee recommends —

(1) (a) with respect to Section 1 of Ruling 16, the "semi-bold" type proposed by the Bell Telephone Company be approved for use uniformly by all those listed as lawyers in the yellow pages;

(b) with respect to 'district listings' that members of firms be allowed to list in every district where they maintain an office;

(c) that firm names as well as the names of individual members be allowed to be published in the yellow pages of the telephone directory;

(d) that no objection be taken to those members who are Patent Attorneys or Agents having a listing under the heading 'Patent Attorneys & Agents' similar to the listing under the heading 'Lawyers'.

Accordingly it is recommended that Section 1 of Ruling 16 be amended to read as follows:

'No member shall authorize the insertion in the yellow pages of any telephone directory published in Ontario of more than a single listing of the firm name, address and number in semi-bold type under the heading

"Lawyers" for each office or branch office and for each partner or member of the firm and in each section of the yellow pages directory in each area where an office or branch office is maintained. Members who are Patent Agents or Attorneys may have a similar listing under the heading "Patent Attorneys & Agents".'

(2) (a) with respect to sub-section (a) of Section 6 of Ruling 16, that the words 'patent agent' or 'patent attorney' be inserted in line six after the words 'commissioner for oaths'.

(b) with respect to sub-section (b) of Section 6 of Ruling 16, that members be allowed to include a description of the nature of their practice but that no mention should be made of representative clients.

All of which is respectfully submitted."

Your Committee recommends Proposed New Ruling 16 in the following form:

PROPOSED NEW RULING 16

DIRECTORIES AND ANNOUNCEMENTS

1. No member shall authorize the insertion in the yellow pages of any telephone directory published in Ontario of more than a single listing of the firm name, address and number in semi-bold type under the heading "Lawyers" for each office or branch office and for each partner or member of the firm and in each section of the yellow pages directory in each area where an office or branch office is maintained. Members who are Patent Agents or Attorneys may have a similar listing under the heading "Patent Attorneys & Agents".
2. A member may circulate among the profession or among clients announcement cards pertaining to his practice which convey information of use to them such as a change of address or of personnel.
3. A member may insert such announcement in connection with his practice or a professional card in any newspaper published in Ontario.
4. A member may insert a card, notice or announcement in connection with his practice in any law list, legal directory, professional or trade journal or similar publication when such publication has been approved by Convocation on such terms as Convocation may from time to time approve.

5. Such approval shall normally be on the recommendation of the Professional Conduct Committee and may be withdrawn at any time.

6. (a) In publications circulating generally outside the legal profession, the text in modest print shall contain no more than the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm, and the words "barrister-at-law", "barrister and solicitor", "lawyer", "law office", "notary", "commissioner for oaths", "patent agent" or "patent attorney" or their plural where applicable, the address, telephone number, cable addres, office hours, and any pertinent anouncement when required.

   (b) In publications of restricted circulation used by the legal profession there may appear in addition date and place of birth and admission to the Bar, schools attended with dates of graduation, degrees and other educational distinctions; war service and decorations; public or quasi public offices, posts of honour, legal authorships, legal teaching positions, memberships and offices in bar associations and committees thereof and in legal and scientific societies. Members may also include a brief description of the nature of their practice but no mention should be made of representative clients.

7. Notwithstanding the other clauses of this Ruling the Professional Conduct Committee may generally and in particular cases authorize other and additional publication.

3. MISCELLANEOUS

Re: CONSOLIDATED RULE 394 — SOLICITORS CEASING TO ACT — ORDER — MATERIAL IN SUPPORT

(a) A firm of solicitors put before the Committee their embarrassment in a matrimonial cause when they discovered that the evidence on which they were relying may have been secured by connivance. They secured this information as solicitors but when they sought to withdraw the client failed to co-operate and they were faced with the requirements of the judgment in *Ely v. Rosen,* 1963 1 O.R. 47 requiring that such an application must be supported by material showing the particular facts which warrant the solicitor ceasing to act.

In the particular case a satisfactory and helpful ruling appropriate to its particular facts was made, but your Committee considers that the general question should be brought to the attention of the Rules Committee with the suggestion that where privilege is involved a solicitor may declare upon his honour as a solicitor that he cannot continue to act because of facts known to him but privileged.

(b) ARTICLES ON LAW FIRMS

A member reported that an active student publication contemplated a series of articles on leading Toronto firms for their benefit and interest of their student body. Your Committee, after consideration, agreed with the view of the Chairman that this would be undesirable and the member was advised accordingly.

Moved by Mr. Wright, seconded by Mr. Fennell that the Report be adopted.

Moved in amendment by Mr. Beament, seconded by Mr. Ford, that proposed Ruling 16 be referred back to the Committee with the recommendation that publication of professional cards in newspapers be prohibited, that the proposed Ruling be amended accordingly, and that the proposed Ruling as amended be published in the Ontario Reports.

The amendment was carried.

The Report as amended was adopted.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 17th November 1965, the following members being present: Messrs. Steele (Chairman), Harris, Levinter, McCulloch, Slemin and Strauss.

ASSISTANCE TO THE LAW FACULTIES OF NEW COMMONWEALTH UNIVERSITIES:

Your Committee considered a proposal by Mr. Goodwin, the Lincoln county crown attorney, that the Society, along with the Canadian Bar Association, assist the law faculties of universities in developing Commonwealth countries by contributing to them rarely used Canadian law reports, statutes and periodicals. Your Committee favoured such participation by the Society and recommends that the Chief Librarian communicate with the president of the Canadian Association of Law Libraries and find out whether or not a coordinated plan between libraries can be arranged for this purpose and how needed assistance can best be provided.

MONTHLY BOOK LIST

Your Committee reports that it has approved a procedure whereby Committee members who are unable to attend will be expected to indicate to the Chief Librarian before the time of a meeting any titles on the monthly book list which, in their opinion, should not be purchased. It is proposed that books as to which no member objects before or at meetings be approved without discussion.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE—Mr. Ford

Your Committee met on the 15th September 1965, the 13th October 1965, and again on the 5th November 1965, the following members being present at the latter meeting: Mr. Ford (Chairman) and Messrs. Common, Harris, Keith, Levinter, McLaughlin, Strauss and Wright.

ONTARIO REPORTS — Contract for editing and publishing

MEETING OF REPORTING COMMITTEE OF THE 5TH NOVEMBER 1965:

At this meeting the Chairman reported fully as to developments from the 15th September to date and reported on the Sub-Committee's recommendations.

After full consideration of the Sub-Committee's report the Committee unanimously accepted the Sub-Committee's recommendation and resolved to recommend to Convocation that the bid of Canada Law Book Company Ltd. for a contract to publish the Ontario Reports for a further five-year period from the 1st January 1966 be accepted, subject to the approval of all terms of the formal contract by the Sub-Committee herein of the Reporting Committee.

Your Reporting Committee now so recommends.

The Chairman of the Reporting Committee wishes to pay particular tribute to the able and conscientious assistance he has had throughout from the members of his Sub-Committee, Messrs. Levinter, O'Brien and Strauss and from the Secretary of the Committee, Mr. Lawson.

Mr. Starr, having previously advised Convocation that he acted as counsel for Canada Law Book Company, withdrew and took no part in the discussions and did not vote. The Treasurer stated that Mr. J. J. Carthy of his firm is one of the Editors of the Ontario Reports, and that he would therefore make no comment on the Report, nor take part in the discussion.

Moved by Mr. Ford, seconded by Mr. O'Brien, that the Report be adopted.

Carried.

UNAUTHORIZED PRACTICE COMMITTEE

Mr. Seaman, Chairman, reported orally on several matters under consideration by the Committee.

THE REPORT WAS RECEIVED

COUNTY LIBRARIES COMMITTEE

In the absence of the Chairman and Vice-Chairman, Mr. Raney presented the Report:

Your Committee met on the 19th November 1965, the following members being present: Messrs. Fennell (Vice-Chairman), Beament, Clement, W. S. Martin, Raney, Seaman, Slemin, Steele, Strauss and Weir.

Parry Sound Law Association

Your Committee reports that an application for a special grant by the Parry Sound Law Association was discussed. Consideration of this was deferred to the January meeting.

County Libraries' Schedule

The Chief Librarian presented the 1965 schedule of county library information.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON ELECTION OF BENCHERS

The Treasurer reviewed the Report of the Special Committee dated 9th January 1964, and adopted with amendments by Convocation on the 17th January 1964. He reminded

Convocation that the Special Committee recommended that the number of elected Benchers be increased from 30 to 32, and of these 32 Benchers 17 be elected from Metropolitan Toronto and 15 from the rest of the Province, and that it had been moved in amendment that the Report be adopted, including an amendment, except those paragraphs referring to the increase in the number of elected Benchers from 30 to 32, and that this matter be referred back to the Special Committee for further consideration and Report.

The Treasurer stated that the Special Committee had not met since 17th January 1964 as it felt that it had dealt with the matters contained in the Report.

Moved by Mr. Wright, seconded by Mr. Ford, that the Special Committee on Election of Benchers be discharged, and that the question of an increase in the number of Benchers be referred to the Special Committee on Organization of Convocation and Committees, together with the question of regional representation.

Carried.

LAW SOCIETY AMENDMENT ACT 1964

The Treasurer referred to Section 1 (3) of this Act which provides in part that "Every person who has held the office of Treasurer of the Society" shall be ex officio benchers of the Society. The Treasurer raised the question as to whether or not he is an ex officio bencher, and asked the Benchers to consider this before the January meeting of Convocation.

Moved by Mr. O'Brien, seconded by Mr. Maloney, that the opinion of counsel be taken, counsel to be chosen by the Treasurer.

Carried

CONVOCATION THEN ROSE

J. D. ARNUP
Treasurer.

MEETING OF CONVOCATION

FRIDAY, 21ST JANUARY 1966
10:30 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Beaton, Bruce, Cassels, Chitty, Common, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Keith, Levinter, Maloney, G. A. Martin, McCulloch, McLaughlin, O'Brien, Pattillo, Raney, Robinette, Robins, Seaman, Seymour, Sheard, Slemin, Starr, Strauss, Williston, P. D. Wilson, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 19th November 1965 were read and confirmed.

ELECTION OF BENCHER

In 1964 Section 5 of The Law Society Act was amended to provide that "Every person who has held the office of treasurer of the Society" shall be a Bencher ex officio. The Society retained J. L. Stewart, Q.C. to give an opinion whether the Treasurer, having been re-elected for a further term after the Statute came into force, is now ex officio. His opinion is that the Treasurer became an ex officio bencher upon the expiration of his first term of office as Treasurer. It was moved by Mr. Ford, seconded by Mr. G. A. Martin, that the Society act upon Mr. Stewart's opinion.

Carried.

Mr. Phillip Barry Chaytor Pepper, Q.C. of Toronto was elected a Bencher to fill the vacancy caused by the fact that Mr. John D. Arnup, Q.C. had become a Bencher ex officio.

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on Thursday, the 20th January, 1966, at 3:00 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Pattillo and R. F. Wilson.

ADMISSION OF STUDENTS-AT-LAW

The following candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of 1st September, 1965:

Under Bar Admission Regulations - Part II - No. 2

291. Johnson, Kenneth Stewart, 2 Years Eng. McGill; LL.B. Osgoode Hall 1965;

Under Transfer Regulation No. 6

292. White, Michael John, English Solicitor.

Approved

Your Committee considered applications with reference to Direct Transfers, a United Kingdom Barrister, a United Kingdom Solicitor, other Commonwealth applications and a Special Petition and made recommendations thereon.

ASSOCIATE PROFESSOR BRADLEY EDWARD CRAWFORD

Professor Crawford is a full-time member of the Faculty of Law, University of Toronto, and has entered upon his third year of teaching there. He asked to be called to the Bar and admitted as a solicitor without examination upon payment of a nominal fee of $200.00 under the statement of policy respecting full-time members of approved Law Faculties in Ontario adopted by Convocation 19th February, 1960.

Approved

EXAMINING BOARD - REGULATIONS

At its meeting on the 18th September, 1958, the Committee approved the Regulations of the Examining Board of The Law Society of Upper Canada, of which Regulation 2 reads:

> "The Board consists of the Dean of the Law School, the Director of the Bar Admission Course, and a third member to be appointed by the Admissions Committee from the practising profession, preferably one of the Special Lecturers on the Faculty of the Law School."

In a letter dated 11th January, 1966, which is before the Committee, Dean Leal tendered his resignation as Chairman and member of the Examining Board.

The Committee was asked to appoint a Chairman in his place and to make the appropriate amendments to the Regulations of the Examining Board.

The Committee recommended that the Regulations be amended to provide that the Board consist of the Director of the Bar Admission Course and two members to be appointed by the Admissions Committee from the practising profession, but that the appointment of the third member of the Board stand to the next meeting.

The Committee recorded its appreciation of the Dean's work as Chairman of the Examining Board over the past years.

REPORT OF THE EXAMINING BOARD

The report of the examinations held in January, 1966, was before the Committee. The four candidates who sat the examination passed. Their names are:

Philip Jacob Budd
John Stuart Dietrich
Robert John Leach
Holmes Alexander Matheson.

Approved

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidate was presented to the Treasurer and Convocation, was Called to the Bar, and the degree of Barrister-at-law was conferred upon him by the Treasurer:

Alfred William Rooke Carrothers, Dean of the Faculty of Law, The University of Western Ontario.

LEGAL EDUCATION COMMITTEE — Mr. Howland

The Committee met on Thursday, the 20th of January 1966, at 3:30 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Keith, Pattillo, Seaman, Sheard, Slemin, Starr and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Committee approved the following appointments to the Faculty of the Bar Admission Course:

Mr. R. D. Wilson, in the Corporation Law Section.

Mr. F. D. Baker, Mr. R. H. Honeyford and Miss Donna J. Haley, in the Surrogate Court Practice Section.

Mr. R. D. Poupore, Q.C., Mr. J. C. MacDonald and Mr. H. W. Silverman, in the Domestic Relations section.

PETITION

The Committee considered a petition for special relief and made recommendations thereon.

OSGOODE HALL LAW SCHOOL

FALL TERM EXAMINATIONS - 1965

The full-time members of the Faculty and the Registrar met on Wednesday, 12th January, 1966, to review the results of the Fall Term examinations for all three years at the Law School and any petitions which have been filed with respect to them. The returns are as follows:

First Year

Subject	*Passed*	*Failed*	*DNW*	*Candidates Eligible*
Legal History	194	12	0	206
Personal Property	194	11	1	206

Sixteen students failed in one subject only and two students failed in two subjects.

Two petitions were considered and a decision on both of them was deferred pending the outcome of the Spring Term examinations at which time the petitions will be reviewed in the light of the students' full year's work.

Second Year

Subject	*Passed*	*Failed*	*DNW*	*Candidates Eligible*
Banking and Bills	159	3	2	164
Sale of Goods	160	2	2	164

Five students failed one subject and none failed in two subjects.

Two petitions were considered from two students who did not write the examinations and a decision upon both of them was deferred pending the outcome of the Spring Term examinations.

Third Year *Subject*	*Passed*	*Failed*	*DNE*	*Candidates Eligible*
Accounting	143	4	1	148
Civil Law	57	0	1	58
Creditors' Rights	36	0	0	36
International Commercial Transactions	17	0	0	17
Legal Regulation of Competition	74	0	1	75
Legislation	13	0	0	13
Seminar in Torts	11	0	0	11

Four students failed in one subject only.

Three petitions were considered and a decision upon all of them was deferred pending the outcome of the Spring Term examinations.

Received

ANNUAL REPORT

The Annual Report of the Dean was received.

FULL-TIME TEACHING STAFF

In a letter to the Dean dated 18th January, 1966, Professor David W. Mundell, Q.C., applied for a further leave of absence of one year, effective as of 1st July, 1966, on the same terms as his leave during the academic session 1965-66.

This leave was requested by the Honourable James C. McRuer, LL.D., Commissioner of the Royal Commission Inquiry Into Civil Rights in the Province of Ontario to enable completion of the work of the Royal Commission.

Your Committee recommends that the request be granted.

OSGOODE HALL LAW SCHOOL ADMINISTRATIVE OFFICERS

The report of the Special Committee of the Faculty appointed to consider administrative officers in Osgoode Hall Law School was before the Committee containing recommendations that an Assistant Dean be appointed from among the Faculty to assume administrative responsibility with respect to admissions and such other matters as may be delegated to him by the Dean; and that Professor R. J. S. Gray be appointed Assistant Dean immediately.

APPROVED, subject to the approval of York University and the Finance Committee, the appointment to continue only until 30th June, 1968, at which time the post of Assistant Dean becomes one entirely for decision by York University.

OSGOODE HALL LAW SCHOOL FULL-TIME TEACHING STAFF

The Dean reported that a substantial increase in the number of full-time teaching staff will be required, but that though the precise number of additional members has not been established, five additions to the staff should be made over the next three years. He stated that York University approved of this proposal and that in the submissions made to the University Affairs Committee in November last, an additional sum had been requested to cover the five appointments.

The Dean recommended the following appointments:

John Montgomery Barber, LL.B. Osgoode Hall Law School 1962, called to the Bar of Ontario April, 1964, as Assistant Professor for one year beginning 1st July, 1966,

Michael Mark Dennis, LL.B. Osgoode Hall Law School 1964, LL.M. California School of Law, 1965, as Assistant Professor for one year beginning 1st July, 1966,

William A. W. Neilson, LL.B. University of British Columbia 1964, LL.M. Harvard 1965, as Assistant Professor for one year beginning 1st July, 1966,

Your Committee recommends that they be approved subject to the grant for this purpose being made by the Provincial Government.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE — Mr. R. F. Wilson

Your Committee met on Wednesday, the 19th January 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Sheard (Vice-Chairman), Bruce, Common, Gray, Howland, Levinter and Slemin.

ACCOUNTS

The Secretary reports that from the 1st November to the 31st December 1965 accounts, including Library Accounts, properly approved, to the amount of $99,035.23 have been paid.

The Secretary also reports that from the 1st November to the 31st December 1965 Legal Aid accounts to the amount of $3,988.83 have been paid.

Noted.

ROLLS AND RECORDS

The Secretary reports —

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

J. G. Black, Haileybury	Called—17th September, 1936; Deceased—7th April 1965.
W. G. F. Grant, Q.C., Toronto	Called—19th May 1921; Deceased—10th July 1965.
Miss Elsie Teasdall, Toronto	Called—15th October 1942; Deceased—31st October 1965.
Vernon H. Little, Q.C., Sudbury	Called—2nd June 1938; Deceased—17th September 1965.
I. M. Wylie, Toronto	Called—22nd May 1924; Deceased—18th November 1965.
F. H. Snyder, Q.C., Toronto	Called—14th September 1916; Deceased—22nd November 1965.
D. A. E. Ruwald, Q.C., Toronto	Called—29th June 1950; Deceased—5th December 1965.
Andrew A. Shuyler, Toronto	Called—25th May 1923; Deceased—15th December 1965.
K. A. Cameron, Barrie	Called—20th September 1928; Deceased—25th December 1965.
R. H. Sankey, Q.C., Toronto	Called—19th May 1921; Deceased—12th January 1966.
W. H. R. Lawrence, Q.C., Brampton	Called—20th November 1924; Deceased—16th January 1966.
W. K. MacGregor, Pembroke	Called—21st October 1920; Deceased—January 1966.

Noted

(2) *Resignations*

Peter Lewis Slaght was called to the Bar on the 17th September 1942 and has paid fees to the 30th November 1965. In accordance with the recommendation of the Discipline Committee contained in its Report of the 10th November 1965, adopted by Convocation on the 19th November 1965, the solicitor submitted his resignation from the Law Society and undertook by letter dated the 22nd November 1965 that he would not apply for reinstatement. Mr. Slaght's resignation was effective on the 23rd November 1965.

Noted

Stephen Wayne MacKneson was called to the Bar on the 24th June 1954, and has paid fees to the 30th November 1964. In accordance with the recommendation of the Discipline Committee contained in its Report of the 26th July 1965 and adopted by Convocation on the 17th September 1965, the solicitor submitted his resignation by letter dated the 15th October 1965. On the 29th November 1965 the Law Society received the required declarations from the solicitor, and on that date Mr. MacKneson's resignation became effective.

Noted

Earl Brown, Q.C. was called to the Bar on the 29th June 1949, and paid fees to the 30th November 1965. On the 5th July 1965 the solicitor wrote to the Law Society advising that he intended giving up the practice of law and to move to Latin America. He requested permission to resign from the Law Society. The solicitor submitted a report on an investigation of his Trust Accounts as of the 4th May 1965, by Peat, Marwick, Mitchell & Co., Chartered Accountants.

On the 28th September 1965 the Law Society received further correspondence from Mr. J. E. Eberle, Q.C., counsel for Mr. Brown. Mr. Eberle enclosed a Report dated 21st June 1965 from the firm of Peat, Marwick, Mitchell & Co., which the Law Society had requested. Mr. Eberle requested that his letter, together with the letter of Earl Brown dated 5th July 1965, be considered by the Finance Committee as a formal request to allow Earl Brown to resign as a member of the Law Society.

The relevant correspondence, together with a memorandum from Kenneth Jarvis dated the 13th January 1966, was considered.

The Committee recommended that the resignation of Earl Brown be accepted.

Marie Valentine Darte (Johnston) was called to the Bar on the 16th September 1937, and paid fees until the current year, 1965-66. She has not practised law since on or about September 1947. She asked that her resignation be considered under paragraph 4 of the Rule Respecting Resignations dispensing with the usual requirements.

Lolo Boehmer Loucks was called to the Bar in September 1937 and has paid fees until the current year, 1965-66. She has not practised since 1942, and has not been a resident of Ontario since 1948. She asked that her resignation be considered under paragraph 4 of the Rule Respecting Resignations.

The Committee recommended that the above two resignations be accepted.

OSGOODE HALL LEGAL AND LITERARY SOCIETY — *Grant*

Your Committee approved the request of the Legal and Literary Society for a grant of $15,815.96, with the stipulation that the $815.96 in excess of the approved budget for the Legal and Literary Society be taken from the Phillips-Stewart Library item of the approved budget of the Law School.

SECRETARY'S STAFF - *Assistant Bookkeeper*

Due to the increased volume of work in this Department, permission is requested to engage an assistant for Mr. Bennett.

Your Committee recommends approval, subject to the approval of the Chairman of the Finance Committee.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE — Mr. O'Brien

RE: WILLIAM GEORGE MURPHY

At its meeting on the 17th of September 1965, Convocation had before it the petition of William George Murphy to be reinstated as a member of the Bar in Ontario. The petition was referred to the Discipline Committee for consideration and report.

After considering carefully all the evidence adduced and hearing the submissions made by Mr. A. A. Macdonald, the Petitioner's counsel, your Committee recommends that reinstatement be permitted on the condition that the petitioner file with the Society a bond in the sum of $1,000 with three sureties to insure the Society against loss to the Compensation Fund for a period of three years.

The petitioner was called to the Bar and admitted as a Solicitor on the 29th of June 1950 and struck off the Rolls on the 17th of October 1958.

Moved by Mr. O'Brien, seconded by Mr. Keith, that the Report be adopted.

Mr. Murphy attended before Convocation with his counsel, Mr. Gordon S. Macdonald, Q.C., and answered questions put by members of Convocation.

The motion was carried.

GENERAL REPORT

1. With respect to the COMPENSATION FUND:

COMPENSATION FUND
FINANCIAL SUMMARY

July 1st 1965 to December 31st 1965

Balance in Fund 30th June 1965		575,634.24
RECEIPTS		
Fees	349,782.50	
Bank Interest	6,174.20	
Investment Income	2,287.50	358,244.20
		933,878.44
DISBURSEMENTS		
Reporters, transcripts, investigations, counsel fees, &c.	7,167.78	
Grants	206,167.03	213,334.81
BALANCE IN FUND 31st December 1965		720,543.63

INVESTMENTS	*Par Value*
Government of Canada 5% 1968	20,000
Government of Canada 4½% 1983	50,000
Province of Ontario 3% 1965	25,000
Canadian National Railways 2⅞% 1969 (guaranteed by the Government of Canada)	20,000
	$115,000

APPLICATIONS PAID - *1st July 1965 to 30th December 1965*

re: J. D. Barclay (one application)	1,650.00
re: F. C. Brown (3 applications)	8,054.31
re: Leo Cavasin (one application)	2,602.15
re: R. P. Doyle (1 application)	1,759.59
re: R. E. Fairs (1 application)	629.72
re: M. R. J. Heffer (1 application)	11,000.00
re: George Majic (18 applications)	74,914.79
re: R. F. X. Marentette (2 applications)	1,069.30
re: R. N. Meakes (2 applications)	1,309.96
re: R. H. Slater (25 applications)	100,342.63
re: W. H. Swayze (3 applications)	1,834.58
re: R. Dean Wills (1 application)	1,000.00
TOTAL GRANTS JULY 1ST, 1965 TO DECEMBER 31ST, 1965	$206,167.03

APPLICATIONS REFUSED OR WITHDRAWN

During the period July 1st to December 31st 1965, 51 applications totalling $362,082.17 were refused or withdrawn.

2. COMPULSORY ANNUAL AUDITOR'S REPORT AMENDMENT OF RULE

On 19th November 1965 Convocation adopted a Report of the Discipline Committee concerning the consequences which would follow failure to comply with the following Rule:

> As a condition of receiving his annual certificate enabling him to practise, every member of the Society shall on or before the 30th day of November in each year file with the Society either a report duly completed by a public accountant and signed by the member in the form annexed as Schedule "A" or a statutory declaration setting forth that during the preceding 12 month period he has not handled or been responsible for any clients' trust funds or clients' valuables.

The Sub-Committee of the Discipline Committee whose work was reflected in that Report recommended at the same time that in January 1966 the following recommendation be made to Convocation, namely:

1. with respect to this year (1966) the Rule be amended by

deleting the words "as a condition of receiving his annual certificate enabling him to practise. . . ." from the first line thereof and by beginning the word "every" which immediately follows those words with a capital letter;

2. that the Rule as amended become one of the Rules Respecting Accounts and follow immediately after the present Rule 8 of the Rules Respecting Accounts.

Your Committee so recommends.

The first year's operation of the Rule.

The flow of reports from the profession began shortly after the Treasurer's letter was sent out at the end of June 1965 but by the deadline of 30th November 1965, less than half of the nearly 6,000 returns had been filed. By the 15th of December, however, all but 750 had been received and on that day a letter was sent to those members who had not complied with the Rule, telling them that, if they were still in default by the 3rd of January 1966, this fact would be reported to the Discipline Committee and that, in appropriate cases, the Discipline Committee would order an audit of the member's records and charge the member with the cost. By the 12th of January 1966, 254 members had not complied. Of this number a little over half appear not to be engaged in the active practice of law, either because they have retired, are working outside Ontario or are engaged in teaching law or some other occupation apart from the practice of law. These members are being assisted to comply with the Rule by being sent forms of declaration for completion. The remainder of the 254 members who have not yet complied with the Rule will be considered by the Discipline Committee and such action as may be indicated will be taken with respect to them shortly.

3. With respect to UNSCHEDULED SPOT AUDITS:

In 1965, 1,037 firms, comprising 2,346 lawyers, in Metropolitan Toronto were visited. The work was carried out by 50 auditors specially retained by the Society to work under the supervision of Robert L. Anderson, C.A. of the Secretary's staff. Mr. Anderson and his assistant Mr. John Hughes themselves visited all the lawyers in Sarnia, Lindsay, Woodstock and Niagara Falls. As a result of these examinations, 8 full-scale audits were ordered and 3 firms were invited to attend before the Discipline Committee when their methods of keeping books were discussed. In addition to these inspections, 19 special examinations were conducted by the Society's auditing staff as a result of complaints or other information received by the Society. Two Notices of Complaint have resulted from these examinations. To date over 60% of the profession have had their books examined and plans are being made to carry out the examination of the remainder.

THE REPORT WAS ADOPTED

PROFESSIONAL CONDUCT COMMITTEE — Mr. Wright

Your Committee met on the 16th December, 1965, at 11:00 a.m. the following being present: Mr. Peter Wright, Chairman, and Messrs. Slemin and Strauss, and on the 13th January, 1966 at 11:00 a.m. the following being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Keith, O'Brien, Slemin and Strauss.

1. Ruling 10 — Signs

Your Committee received a report that of fourteen members whose signs had been in breach of this Ruling, eight had replied that their signs had been brought into compliance. The work of the Committee is continuing with regard to the other six and further reports on breaches are expected.

2. Proposed New Ruling 16 — Directories, Announcements and Professional Cards

At the November Convocation, this Proposed New Ruling was returned to the Committee in order to amend it to prohibit professional cards in newspapers. The Ruling was reconsidered and a proposed new Ruling was settled which has been published in the first of the Ontario Reports for 1966. Letters are being received from the profession with regard to it.

Your Committee considered the publications to be approved under the proposed Ruling and will shortly make recommendations to Convocation.

3. Ruling 24 — Specialization

Your Committee has received a number of enquiries and has been giving attention to the problem of specialization and the public announcement of special qualifications. On the one hand any touting is contrary to the traditions of the profession but on the other, and particularly in the larger centres, it is difficult for the public to know who is particularly qualified to deal with their problem. Your Committee considered this and decided that the present situation called for no change in Ruling 24 but that the situation should be examined by the Professional Conduct Committee of the Governing Bodies of the Legal Profession in Canada and that the provision of 'specialist' courses leading to high qualifications should be considered by the Continuing Education Committee. It was the view of the Committee that if there was to be any notification to the public of 'specialist' qualifications it must be based on special qualifying post-graduate courses and a substantial period of practical experience. In expressing these views your Committee in no way wishes to impede but rather to assist the progress of the Bodies to which it has sought to commit these problems.

4. Proposed New Ruling — Division of Fees

A proposed new ruling dealing with the division of fees and following the American Rule on this question was published to the profession on the 26th of November in the Ontario Reports, Part 41. Your Committee considered the letters received from the profession and recommends that the Ruling as published be approved by Convocation as Ruling 34.

A number of questions have been received with regard to payments being made to lawyers who have retired or have ceased temporarily to practise. It is the view of your Committee that arrangements made with a member ceasing to practice permanently or temporarily for a share of fees of his practice do not contravene this proposed ruling.

5. Your Committee also dealt with the following matters:

(a) A collection letter written by a lawyer on behalf of a collection firm and threatening a recipient with execution against his "lands, office equipment, machines, vehicles, bank account, accounts receivable, stock-in-trade and other assets" and threatening officers and principals who failed to attend to be examined with committal for "contempt to the common jail", was considered by the Committee. Further enquiries are being made but in the meantime the member has been informed that the letters are unbecoming to the dignity of the profession.

(b) Your Committee responded to the interest of the profession in the recent bankruptcies of two members and recommends that certain aspects of these bankruptcies and similar ones should be referred to the Discipline Committee for investigation and for reconsideration of Rule 11 of the Rules Respecting Accounts. At the same time your Committee appointed a sub-committee of Messrs. Strauss, Chairman, Keith and Wright to consider the general professional conduct aspects of members becoming bankrupts.

THE REFORT WAS ADOPTED

LIBRARY COMMITTEE — Mr. Levinter

Your Committee met on the 19th day of January, 1966, the following members being present: Messrs. Cassels, Common, Levinter, Maloney, Slemin and Strauss. Mr. Levinter acted as chairman.

Your committee considered a number of motions relating to the staff and equipment of the library and made recommendations thereon.

THE REPORT WAS ADOPTED

REPORTING COMMITTEE

Mr. Ford, Chairman, reported orally.

THE REPORT WAS RECEIVED

PRESENTATION OF MEDALS

At the meeting of Convocation on November 19th, 1965, Convocation directed that the following medals be awarded to those passing in the first three places in the Summer Session of 1919 and in the Summer Session of 1920:

Summer Session 1919

Harold Coleman Walker	Silver Medal
Hugh Clayton Cameron	Bronze Medal
Harold George Fox	Bronze Medal.

Summer Session 1920

Charles Patrick McTague	Gold Medal
Howard Charles Green	Silver Medal
Roy Walter Lent (deceased)	Bronze Medal

Messrs. Harold Coleman Walker, Harold George Fox and Charles Patrick McTague attended, and received their medals from the Treasurer.

Arrangements were made for the other medals to be forwarded to Messrs. Hugh Clayton Cameron and Howard Charles Green, and to the widow of the late Roy Walter Lent.

CONVOCATION ADJOURNED AT 12:45 P.M.

CONVOCATION RESUMED AT 2:30 P.M., A QUORUM BEING PRESENT

UNAUTHORIZED PRACTICE — Mr. Seaman

Your Committee met on Friday, the 21st January 1966, the following members being present: Mr. R. L. Seaman (Chairman) and Messrs. Ball, Beament, Creighton, Fennell, Ford, Levinter, Raney, Sheard, Slemin and Strauss.

TRUST COMPANIES

At its meeting in October, the Sub-Committee on Trust Companies was asked to investigate the problem of trust companies advising and assisting in matters of succession duty and estate tax; the Committee to include in its terms of reference Accountants and Life Insurance Companies. A Report from the Chairman of the Sub-Committee was before the Committee on the 19th November 1965.

On the 19th November 1965, the Committee directed the Sub-Committee to prepare a notice for the Ontario Reports informing the profession that a Sub-Committee of the Unauthorized Practice Committee had been appointed to investigate the problem of trust companies, chartered accountants and life insurance companies advising and assisting in legal matters, drafting legal documents, and interpreting case law with respect to income tax, succession duties, and estate tax, and appearing as advocates in such matters.

Your Committee now recommneds that the Notice to the Profession proposed by the Sub-Committee be published in the Ontario Reports.

UNAUTHORIZED PRACTICE - GENERAL

The Committee recommends that no further action be taken with respect to three matters which have been under review and that six matters stand for a further report.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES — Mr. Ball

Your Committee met on the 21st January, 1966, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Creighton, Raney, Seaman, Slemin and Strauss.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following county and district associations have filed their annual returns for the year 1965 in accordance with Rule 103 and have complied in all other respects with the requirements of the Rules and recommends that grants be made to them as follows:

Bruce	$678.67
Dufferin	600.00
Elgin	783.34
Grey	900.00
Kenora	600.00

PARRY SOUND LAW ASSOCIATION

Parry Sound Law Association which received its initial grant in 1932 and has received annual grants since that time, has applied for a special grant in order that it may purchase a set of the Law Reports. Your Committee recommends to the Finance Committee that a special grant of $1,000.00 be made to this association and that a loan of $1,000.00 be made to it, provided that security be given as required by Rule 105 for the due expenditure and repayment of the money advanced. Your Committee further recommends that this loan be repaid out of future annual grants in five instalments of $200.00 each.

THE REPORT WAS ADOPTED

CONTINUING EDUCATION — Mr. Gray

Your Committee met on the 20th January 1966, the following members being present: Messrs. Robins (Chairman), Gray (Vice-Chairman), Howland, Maloney, Pattillo and Slemin.

CONTINUING EDUCATION LECTURES 1966

At its meeting on the 18th November 1965 the Committee approved the proposed programme presented by the Chairman for the special lectures on *Recent Developments in the Law* to be given on the 11th and 12th, and 18th and 19th March 1966. The selection of lecturers was referred to the Chairman.

Your Committee recommends approval of the programme, that the registration fee be $15.00, and that a notice to the profession be given in the earliest possible number of the Ontario Reports.

CONTINUING EDUCATION - *Lectures on Law Office Management*

The Secretary received a letter from Stanley R. Kurisko, Sault Ste. Marie, in which he suggested that the Continuing Education Committee consider lectures relating to problems on law office management; or in the alternative that the Law Society give consideration to reporting to the profession through some publication with respect to this topic.

Your Committee took into consideration the fact that at the Mid-Winter Meeting of the Canadian Bar Association being held in Toronto on February 4-5, 1966, problems relating to law office management will be considered.

Your Committee instructed the Chairman to consult with the appropriate officers of the Ontario Section of the Canadian Bar Association to ascertain whether some programme could be arranged with the joint cooperation of the Law Society and the Association, if sufficient interest is shown in the problem at the Mid-Winter Meeting.

THE REPORT WAS ADOPTED

LEGISLATION AND RULES COMMITTEE — Mr. Pattillo

Your Committee met on the 20th January, 1966, at 2:30 p.m., the following members being present: Mr. R. F. Wilson, Chairman, and Messrs. Pattillo and Sheard.

Your Committee considered the question of the publication of the Society's Rules and Regulations, including the form they should take and the manner in which they should be made available to the profession, and recommends that the Rules and Regulations be published forthwith in a form similar to the Rulings of the Professional Conduct Committee and distributed in the same way that those Rulings were, namely, a copy being sent to each firm in Ontario and to each County Law Library.

Your Committee considered whether the Legislature should be asked to put forward the amendment to The Law Society Act to enable the appointment of a referee to hear evidence in Compensation Fund matters, and recommends that the amending legislation should be sought and that the Chairman be authorized to approach the Attorney General and, if necessary, the Prime Minister of Ontario to discuss the purpose of the proposed amendment and, with their approval with members of the opposition parties.

Your Committee considered the drafting of an Act to amend and amalgamate The Law Society Act, The Barristers Act and The Solicitors Act, and the retaining of counsel to advise and assist the Committee with respect to drafting the proposed new Act, and recommends that the Chairman be authorized to retain counsel for this purpose with the object of preparing draft legislation to be submitted to the profession at the Mid-Winter Meeting of the Canadian Bar Association in 1967 with the intent that such Bill be introduced in the legislature no later than 1968.

THE REPORT WAS ADOPTED

LEGAL AID PROGRAMME COMMITTEE — Mr. Keith

Your Committee was appointed in response to a request, addressed to the Law Society of Upper Canada by the Attorney General for Ontario on the 21st September 1965, that the Law Society propound a scheme for the implementation of a plan of legal aid as recommended by the Joint Committee on Legal Aid in its report to the Attorney General dated March 1965.

The terms of reference of your Committee carry with them, therefore, two basic and implicit assumptions, namely, that the Province of Ontario will enact specific legislation to provide for legal aid and advice to persons requiring such in Ontario and that the Law Society of Upper Canada will be charged with the responsibility for the administration of the provision of legal aid and advice to such persons.

Precedent for proceeding in this manner is to be found in Section 8 of the Legal Aid and Advice Act 1949, in England, and in the schemes propounded by the Law Society in that country pursuant to the enabling legislation referred to.

Your Committee, without the confinement of existing enabling legislation, has therefore proceeded to secure a draft of what may become the actual Bill to be introduced in the Legislative Assembly of Ontario and in this connection, acknowledges that the first draft was prepared by a member of the Committee, Charles Sale, Q.C. of Windsor, Ontario, and from that draft, the suggested form of an actual statute, was prepared under the guidance and authority of L. R. MacTavish, Q.C., Senior Legislative Counsel in the Department of the Attorney General, with the constant collaboration, assistance and advice of W. B. Common, Q.C., Consultant to this Committee, a member of this Bench and Chairman of the Joint Committee on Legal Aid.

It is in this framework, therefore, that the scheme now propounded comes to you with your Committee's recommendation that it be adopted. It is to be noted that the draft Act contemplates that the power to initiate Regulations under that Act is to be vested in the Law Society so that, as opposed to the English practice, amendments to or amplification of the scheme now propounded may be effected by regulation from time to time.

Your Committee realizes that the draft Bill, may itself be modified and amended before enactment, and that as finally enacted, it will still require administrative regulations and forms, but the scheme itself, has been designed to be functional for the satisfactory discharge of the responsibilities that are anticipated will be placed on the Law Society in whatever form the statute designed to implement the report of the Joint Committee may finally be enacted.

The report of the Joint Committee recommended that legal aid and advice in the following fields be made available to persons requiring such in Ontario and unable to bear the full cost themselves without financial assistance, and your Committee quotes from the Summary of Views and Conclusions of the Joint Committee:

4. *Legal Aid in Civil Matters*

(a) Legal aid in civil matters should be available in all courts.

- (b) The exclusions now existing under the Voluntary Plan should be continued, subject, however, to the removal of the present bankruptcy exclusion.
- (c) Domestic proceedings and other matrimonial causes should be specifically included.
- (d) Subject to the discretion of the local director, legal aid should be available in,
  - (i) the Family Court;
  - (ii) the Division Court;
  - (iii) administrative tribunals;
  - (iv) bankruptcy matters as mentioned in paragraph 4(b).

5. *Legal Aid in Criminal Matters*

- (a) Legal aid in criminal cases should be available for all persons charged with indictable offences.
- (b) Applications for a sentence of preventive detention should be specifically included (i.e., habitual criminals and dangerous sexual offenders).
- (c) Subject to the discretion of the local director, legal aid should be available,
  - (i) in summary conviction cases, under the Criminal Code and Provincial Statutes, where upon conviction there is a prospect of serious loss of liberty or economic jeopardy;
  - (ii) in cases where the applicant has been previously convicted, provided, however, that the local director is satisfied that the particular circumstances justify the granting of assistance;
  - (iii) in the Juvenile Court.

6. *Appeals*

- (a) Legal aid in both civil and criminal matters should extend to all proceedings by way of appeal, including such matters as,
  - (i) certiorari;
  - (ii) motions to quash;
  - (iii) habeas corpus;
  - (iv) prohibition.
- (b) Appeals would include appeals to,
  - (i) the Court of Appeal for Ontario;
  - (ii) the Supreme Court of Canada;

    - (iii) a County or District Court Judge hearing an appeal by way of trial *de novo*;
    - (iv) a Supreme Court Judge;
    - (v) proceedings in the nature of appeals to or from administrative tribunals.

(c) Where legal aid has been granted in either civil or criminal proceedings in the court of first instance, it should be extended to appeal proceedings subject to the approval of the local committee. An appeal certificate should only be granted in those cases where there is a reasonable probability of success.

(d) In considering the question of appeal, the appeal committee should consider,

- (i) a written statement of the prosecutor or plaintiff's counsel; and
- (ii) a written statement of the defence counsel or defendant's counsel.

Where no counsel appeared at trial, the committee should consider whatever information it is able to acquire.

(e) An appeal should lie from the local appeal committee to the Provincial Director against the dismissal of an application for an appeal certificate.

(f) Where an appeal certificate is granted, a transcript of the evidence should be furnished subject to any order of the Court of Appeal which might permit less than a full transcript;

(g) Legal aid in appeals should not be restricted to cases where legal aid was granted in the first instance. Where in the first instance a lawyer had been privately retained, legal aid should be granted for an appeal, if eligibility could be established.

11. *Advice*

Legal Aid clinics should be discontinued and a provision for advice under the proposed plan should be similar to that under The Legal Aid and Advice Plan in England.

To entitle an applicant to such advice, he should be required to make a declaration as to his entitlement."

It is obvious that the Joint Committee had in mind the words of E. J. T. Matthews, Under-Secretary, The Law Society, London, England, who addressed the members of the Joint Committee in the following language:

> "The objective and aim of the Legal Aid and Advice Act is to make available to the public those services of solicitor and counsel which a reasonable man would provide for himself had he sufficient means to do so."

Your Committee realizes that, in the absence of experience, the immediate introduction of the full programme envisaged by the Joint Committee may well create such serious problems in administration as to jeopardize the successful establishment of the full programme.

The gradual introduction of the full programme could be accomplished in two ways, while the experience was being gained. The first of these would be based on introducing the full programme in certain selected areas, such as the major urban centres of the Province, to be followed by designating further and less populous areas of the Province as areas in which legal aid and advice would be available as the system and its administration became established, until ultimately legal aid and advice would be available uniformly to all persons requiring such in the Province.

The second alternative would be to make the scheme applicable on the same level simultaneously throughout the Province but introducing at first only a portion of the full programme. As the administrative machinery, adequately staffed at the outset, became accustomed to its duties and experienced in the handling of applications for assistance, further fields in which legal aid and advice would be available would be introduced by proclamation until the full programme was in force.

Your Committee is of the opinion that the second alternative is preferable and recommends its adoption. The sequence of adoption of each field of legal aid and advice should be determined by the Government of Ontario on the advice of the Attorney-General, based on the recommendations of the Law Society.

For the purposes of administration, the scheme propounded envisages the division of the Province into a convenient number of areas, probably about fifteen in all, but the precise number to commence with is still the subject of consideration, and, of course, will finally be dealt with by regulation. In this connection it is to be noted that under the County Judges Act, there are eight administrative districts which your Committee feels is too few, having regard to the size and area of a number of the districts. We are advised that the Magistrates favour for their purpose a division of the Province into thirteen districts, so that the possibility of fifteen areas for legal aid purposes does not appear, at the moment, to be unreasonable.

The number of areas ought not to be so few as to overload the administration or make difficult the furnishing of legal aid quickly and effectively. On the other hand, a multiplicity of areas would burden the fund with excessive administrative costs, would tend to dilute the calibre of persons appointed, and complicate the problems of the central administration and increase the possibility of inequities and discrepancies occurring between areas.

A Director appointed by the Law Society, together with such administrative staff as he recommends, will provide the day to day administration of the scheme, operating from suitable offices arranged for by the Law Society. It is proposed that the Director will report directly to the Legal Aid Committee of the Benchers, through that Committee to the Law Society, and through the Law Society to the Provincial Government.

Each area, for the purposes of this scheme, will be administered by an Area Director, to be appointed to such office by the Law Society, on the report of the Legal Aid Committee, based on the recommendation of the Director.

Salaries of the Director and all Area Directors, together with all other capital and operating expenses involved in the scheme, are to be a charge on the Legal Aid fund, financed as necessary by the Provincial Government.

Each Area Director will require an Area Committee, such Committee to be appointed by the Law Society in such numbers, not less than six, and for such term or terms as the Legal Aid Committee may recommend and the Law Society approve. Members of the Area Committee, it is contemplated, would receive necessary travelling expenses and an honoraria based on time involved for attendance at the Area Committee. Such meetings will probably be required at least once a month, and, in certain areas, no doubt more frequently.

The issuance of certificates of entitlement to legal aid is planned to be the responsibility of the Area Director in many instances and in the balance, the Area Committee, based insofar as financial need is concerned on the certification of the Department of Public Welfare in that area.

You will have observed that in the Attorney General's press release, which was widely circulated last week as to the government's intention to provide government financed legal aid, the principal feature stressed and that caught the favourable attention of the press was described as a "help-now-pay-later" plan. The plan contemplates such a feature but it needs some clarification.

In the first place, under Section 19 of the draft Act, as referred to in the plan, it is contemplated that panels of duty counsel who consent to act as such, will be established and maintained where the impact of magistrates courts and other courts, such as the Juvenile and Family Court, is heavy in the community. The Act and the plan envisage the immediate availability of a duty counsel to persons otherwise unrepresented and who ask for legal aid assistance to be rendered on the spot. This may involve nothing more than an explanation to the person involved of the nature and gravity of the charge against him, or the proceeding in which he is summarily involved, or it may take the form of securing an appropriate adjournment or remand and the securing of reasonable bail. This will give time for proper investigation of the case to be made. No bill will be rendered to the fund by duty counsel attributable specifically to the individual or individuals assisted, and the duty counsel will be remunerated out of the fund on an hourly or a per diem basis. Thereafter, if any individual so assisted applies for full legal aid in the circumstances of his case, the time gained by the initial appearance of duty counsel will be used, in part at least, to properly process the application and secure the financial report of the welfare officer.

In those cases where the time factor is still insufficient to secure the financial report of the welfare officer, authority is provided in the Act for the issuance by the Area Director of a provisional legal aid certificate. Any barrister or solicitor thereafter acting (and it may very well be someone other than the duty counsel) on the authority of a provisional legal aid certificate or legal aid certificate will be expected to render a proper solicitor and client bill for payment out of the fund when his services are completed.

It must also be understood that once the emergency situation has passed and the report of the welfare officer has been received, the member of the public applying for and receiving legal aid may be involved in some payment for the legal assistance thereafter afforded. The old system of an arbitrary means test will be gone. Under the existing voluntary Legal Aid Plan a person whose income is below a fixed figure is given legal aid, and a person whose income is above such a figure is denied it. The new scheme contemplates that there are members of the public who can afford to pay nothing for necessary legal service, others who can, perhaps immediately or over a period of time, contribute something, and still others who can make a substantial payment towards the cost of the legal services afforded. The responsibility of certifying the ability of any member of the public to contribute to the cost of legal services is placed exclusively on the officers of the Department of Public Welfare. This system has been found effective in the administration of the English Act, and has two major advantages. The first is that full public assistance is given only to those who really require it, and others help themselves to the extent to which they are able. The second is that contributions from members of the public to the fund, in accordance with the report of the welfare officer, plus the recovery of party and party costs when awarded to the recipient of legal aid, are expected to form a significant source of contribution to the fund and in this way to insure that public monies, which of course will provide the principal resources of the fund, will be used to the best possible advantage.

The scheme as propounded further contemplates an annual meeting of the Director with all Area Directors and Area Committees under the chairmanship of the Director. Thereafter, the report of the Director would be made to the Law Society through the Legal Aid Committee and thence to the Attorney General on behalf of the Government for submission to the Legislative Assembly.

The scheme as propounded also recognizes the need for an independent Advisory Committee which would provide for due representation of the Bench, Bar and the public. The composition of the Advisory Committee is set out in Section 8 of the draft act. The advice of the Advisory Committee should be available to the Legal Aid Committee and the Director, as required, and the members of such Committee should be entitled to attend and participate in the deliberations of the annual meeting of the Director and Area Directors and Area Committees.

This brief outline of the scheme as propounded, in addition to providing a general description of the administrative organization contemplated, is also intended to stress the basic principle of the scheme, namely, that its operation is a function of the Law Society as the delegate of the Government of Ontario and that local County Law Associations are at once relieved of responsibility for the successful operation of the scheme, and, at the same time, are left free to assist, support and make such observations and suggestions through established channels as circumstances may indicate.

The success of a programme of legal aid and advice which will cover such extensive fields of law as recommended by the Joint Committee in a Province as large and populous as

Ontario, will depend in the last analysis on the universal active support of all practising members of the Law Society of Upper Canada, regardless of age, experience or status in the profession.

The achievement of the programme will be a constant demonstration of the dedication of the legal profession to the concept of a civilized society. At the same time, it will not be based on a voluntary, charitable hit or miss concept. Members of the Law Society while engaged in rendering legal service to persons unable to pay in full for such service, will be paid out of the Legal Aid fund on a basis that is designed to defray expenses, normal overhead and a modest return to the practitioner, normally about one half of his normal net fee after expenses and overhead.

Your Committee has stressed this aspect of the matter because of the fact that the press has already quoted recommendation 2(c), as repeated in recommendation 10(a) set out in the Summary of Views and Conclusions of the Joint Committee to the effect that:

> "Lawyers participating in the scheme should receive remuneration on the basis of 75% of a solicitor and client bill, in both civil and criminal proceedings."

The layman cannot be expected to know that the first 50% of a normal solicitor and client bill goes to cover overhead without profit to the practitioner, and hence your Committee has thought it desirable to spell out the real meaning and effect of this recommendation.

In conclusion, therefore, your Committee submits its report and in so doing recommends the adoption of the plan as propounded and further recommends that the Legal Aid Programme Committee be not discharged until The Legal Aid Act 1966 has been passed by the Legislature and the Regulations have been drafted by that Committee and approved by Convocation and the Lieutenant Governor in Council.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON SUPREME AND COUNTY COURT TARIFFS — Mr. Gray

At the meeting of Convocation on the 19th February 1965 it was resolved that the Treasurer appoint a Special Committee on Supreme and County Court Tariffs. The Treasurer appointed a Special Committee consisting of Messrs. Steele (Chairman), Gray, Robins, Starr and Williston.

It was moved by Mr. Gray, seconded by Mr. G. A. Martin, that the Report be adopted, but moved in amendment by Mr. Ball, seconded by Mr. Levinter, that the Report be referred back to the Committee for further consideration.

The amendment was carried.

SPECIAL COMMITTEE ON INCOME TAX ACT (1964)

Mr. Howland

The Committee, consisting of Messrs. Pattillo (Chairman), Creighton and Howland, was appointed to consider the problem arising from the practice of many solicitors depositing in their trust accounts retainers and moneys received from clients on account of fees not earned and the subsequent withdrawal or non-withdrawal of such fees.

After considering relevant authorities and provisions of the Income Tax Act your Committee recommended that it have the power to engage counsel, and with the approval of Convocation Mr. Stuart D. Thom, Q.C. was engaged to consider the matter.

Subsequently Mr. Thom forwarded his opinion to your Committee following conferences held by him with officials of the Department of National Revenue, Taxation Division.

As a consequence thereof your Committee drafted a proposed notice to the profession and submitted it to Mr. Thom for his consideration with the request that he have further talks with officials of the Department of National Revenue and seek their approval of the proposed notice before its release.

Mr. Thom suggested a redraft of the notice, which was accepted, and then submitted such a redraft to the Department of National Revenue for its consideration and approval.

The Department of National Revenue then disclosed that one of its officials had discussed the problem and other related problems with the Joint Committee on Taxation created by the Canadian Bar Association and the Canadian Institute of Chartered Accountants.

The Department accordingly was unwilling at that time to approve or disapprove the proposed notice but promised to give the matter consideration and possibly issue a bulletin of its own to the whole profession throughout Canada. Its concern was that if it approved the notice proposed by your Committee, it was dealing with only those members of the profession in one of the ten provinces.

Subsequently your Committee ascertained that another official of the Department of National Revenue had approached Mr. R. C. Merriam, the Secretary of The Canadian Bar Association, to enlist the support of the Canadian Bar in resolving the problems arising between the Department and the profession.

Mr. Thom advised your Committee that he thought that too many persons were involved in the negotiations, and recommended that the matter be turned over to the Canadian Bar, and that this Society refrain from making any further representations. Your Committee accepted this recommendation with the approval of the Treasurer.

At the most recent meeting of the Executive of the Canadian Bar, arrangements were made to establish a Canadian Committee under the chairmanship of Mr. W. A. Macdonald, Barrister, of Toronto, to endeavour to resolve the problem with the proper tax officials and report thereon to the various governing bodies throughout Canada.

Your Committee recommends that it be discharged.

THE REPORT WAS ADOPTED

ONTARIO INTERPROFESSIONAL LIAISON COMMITTEE — Mr. Howland

The Law Society acted as the host for the meeting which was held on October 7th, 1965.

Summer Course in Career Guidance of Department of Education

The meeting considered that the panel discussion which had been conducted by members of the various professions at the Summer Course in Career Guidance of the Department of Education at York University had been of value to the guidance teachers. The Department was to submit a report setting forth its recommendations as to how the Committee might best further the work of career guidance.

Collective Bargaining

The meeting was devoted almost entirely to a consideration of the position of the various professions respecting the matter of collective bargaining. The Association of Professional Engineers and The Ontario Pharmacists' Association are opposed to collective bargaining for their professions. The medical, legal and veterinary professions are giving the matter careful study.

Admission from other Provinces and Countries

The next meeting of the Committee to be held on January 20th, 1966 is to be devoted to the question of the admission of persons to practice from other provinces and countries and representatives of the licensing bodies will be invited to attend.

THE REPORT WAS RECEIVED

SPECIAL COMMITTEE ON OSGOODE HALL FENCE

The Treasurer reported orally to Convocation on the negotiations with the City of Toronto.

Moved by Mr. Gray, seconded by Mr. Ball, that the Committee (consisting of the Treasurer and Mr. Robinette), be asked to continue discussions with the City of Toronto in connection with the replacement of the present Osgoode Hall fence, the acquisition by the City of certain land on the north side of Queen Street, and other related matters.

Carried

The Treasurer reported that letters had been received from The Very Rev. Dean W. J. Gilling, the Honourable George S. Challies, Associate Chief Justice of the Superior Court of Quebec, and the Honourable G. A. Gale, Chief Justice of the High Court, thanking the Treasurer and Benchers for the luncheon following the Special Divine Service.

J. D. Arnup
Treasurer

MEETING OF CONVOCATION

FRIDAY, 18TH FEBRUARY 1966
10:30 A.M.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Beaton, Bruce, Chitty, Clement, Creighton, Fennell, Ford, Gray, Gregory, Harris, Howland, Keith, Levinter, G. A. Martin, O'Brien, Pepper, Raney, Robins, Roebuck, Seaman, Sheard, Slemin, Steele, Strauss, P. D. Wilson, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 21st January, 1966 were read and confirmed.

BENCHERS

The Treasurer welcomed to Convocation Mr. Phillip Barry Chaytor Pepper, Q.C. who was elected a Bencher on the 21st January, 1966.

Committees

Moved by Mr. O'Brien, seconded by Mr. Howland, that Mr. P. B. C. Pepper, Q.C. be appointed to the following Committees: Legal Education, Admissions, Discipline, and Professional Conduct.

Carried.

The Treasurer thanked the Benchers for their presence and their support at the Mid-Winter Meeting of the Ontario Branch of the Canadian Bar Association.

He reported that a member of the Bar spoke to him after the meeting commending the Benchers on their work, and presented him with a cheque for $1,000.00 to be used for whatever purpose the Treasurer thought proper. The Treasurer told Convocation the money would be used for bursaries in the Bar Admission Course.

The Treasurer announced that Dean H. Allan Leal, Q.C. had decided he would not go with the Osgoode Hall Law School to York University when the move takes place in 1968, and that while this decision necessarily involved the Dean's eventual resignation from Osgoode Hall Law School, he had not in fact resigned.

SPECIAL COMMITTEE ON OSGOODE HALL EXTENSION

The Treasurer reported that there has been wide adverse public reaction to the Government proposal to build a new building on the west lawn. He said that the Toronto Planning Board heard strong representations from the York Pioneer and Historical Society 1869. The Historical Society has suggested to the Law Society that its views be made known on the subject. The Treasurer asked the advice of Convocation.

Moved by Mr. R. F. Wilson, seconded by Mr. Howland, that the Treasurer and Messrs. Carson and O'Brien request the Committee of the Attorney General to make the architectural plans available for study before the Committee reports to the Attorney General.

BENCHERS' ELECTION

Appointment of Scrutineers, and Assistant to the Treasurer

Moved by Mr. R. F. Wilson, seconded by Mr. Howland, that in accordance with Section 7, subsection (1) of The Law Society Act, Mr. Joseph Lawrence Pilon and Mr. John Berton Keyser, Barristers-at-law, be appointed to act as scrutineers at the election of Benchers in 1966; and that Mr. James Murdock DaCosta be appointed to assist the Treasurer and act for him in his absence in counting the votes.

Carried.

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on 17th February 1966, at 2:30 p.m., the following members being present: Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Pepper and Robins.

CALL TO THE BAR AND CERTIFICATES OF FITNESS

Bar Admission Course

The following candidate has successfully completed the Sixth Bar Admission Course, has filed the necessary documents and paid the required fee of $210.00 and now applies for Call to the Bar and to be granted a Certificate of Fitness:

James Howard Banks

Approved

Transfers from Other Provinces

The following candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00 now apply for Call to the Bar and to be granted Certificates of Fitness:

Philip Jacob Budd
John Stuart Dietrich
Robert John Leach
Holmes Alexander Matheson

Approved

ADMISSION OF STUDENT-AT-LAW

The following candidate, having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, applied for admission to the Law Society as a student-at-law in the Bar Admission Course, as of September 1st, 1965.

Under Bar Admission Regulations - Part II - No. 2

293. SPEYER, Christopher M., 2 yrs. Arts. Toronto; LL.B. Toronto 1965.

Approved

EXAMINING BOARD

The Regulations of the Examining Board of The Law Society of Upper Canada provide that the Board is to consist of the Director of the Bar Admission Course and two members to be appointed by the Admission Committee from the practising profession.

There is presently a vacancy, and it is recommended that Jeffrey K. Smith, Esq., be appointed to fill it, and the Director concurs in the recommendation.

Approved

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

James Howard Banks	
Philip Jacob Budd	— Transfer — Manitoba
John Stuart Dietrich	— Transfer — British Columbia
Robert John Leach	— Transfer — Alberta
Holmes Alexander Matheson	— Transfer — Nova Scotia.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on the 17th February, 1966, at 3:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Seaman and Slemin.

OSGOODE HALL LAW SCHOOL

STUDENT LOAN FUND

The Osgoode Hall Law School Loan Committee recommends that loans be made to two students in the amounts of $300.00 and $500.00.

Approved

FULL-TIME TEACHING STAFF OSGOODE HALL LAW SCHOOL

J. D. Morton, Esq., Q.C., Regius Professor of Laws, Trinity College Dublin, has applied for an appointment to the staff as of July 1, 1966. The Dean recommends that he be appointed.

Approved

Patrick L. Howell was appointed teaching fellow in the Legal Writing Programme of the Law School as of July 1, 1965. The Faculty recommends, and the Dean endorses the Faculty's recommendation, that Mr. Howell be appointed to the full-time teaching staff of the Osgoode Hall Law School with the rank of Assistant Professor for a period of one year commencing July 1, 1966.

Approved

THE REPORT WAS ADOPTED

FINANCE COMMITTEE — Mr. R. F. Wilson

Your Committee met on the 16th February 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Bruce, Common, Gray, Harris, Howland, Keith, Levinter and W. S. Martin.

ACCOUNTS

The Secretary reports that from the 1st January to the 31st January 1966 accounts, including Library accounts, properly approved, to the amount of $75,312.16 have been paid.

The Secretary also reports that from the 1st January to the 31st January 1966 Legal Aid accounts to the amount of $760.66 have been paid.

Noted

ROLLS AND RECORDS

The Secretary reports —

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their names have been removed from the rolls and records of the Society:

I. A. Vannini, Q.C., Sault Ste. Marie	Called — 16th September 1943; Appointed District Judge, District of Algoma, 27th January 1966.
James A. Clare, Q.C., Guelph	Called — 21st September 1939; Appointed Judge, C.C.C. Simcoe, 1st February 1966.
A. R. Campbell, Q.C., Toronto	Called — 19th June 1941; Appointed Judge, C.C.C. Frontenac; 1st February 1966.
J. D. Sutherland, Paris	Called — 16th September 1948; Appointed Judge, C.C.C. Wellington, 1st February 1966.

Noted

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

A. D. Morgan, Ottawa	Called — 16th September 1948; Deceased — September 1965.

J. M. Duncan, Q.C., Toronto	Called — 19th September 1935; Deceased — 18th January 1966.
V. W. W. Hermanson, Q.C., Port Arthur	Called — 21st November, 1935; Deceased — 20th January 1966.
H. E. McKitrick, Q.C., Toronto (Honorary Life Member)	Called — 21st May 1909; Deceased — 29th January 1966.
Abraham Singer, Toronto (Honorary Life Member)	Called — 9th February 1912; Deceased — 1st February 1966.

Noted

(3) *Resignations*

Your Committee, having considered the material filed under the relevant Rule, recommends that the resignations of the following members be accepted:

Robert Cecil Hebb, Lunenburg, N.S.	Called — 12th April 1962
Helen DeRoche Roberts, Toronto	Called — 15th June 1933
Edward Francis Horsey, Vancouver	Called — 21st June 1963.
Campbell Carlyle Calder, London	Called — 20th June 1935.
Gordon H. Jermyn, Gananoque	Called — 16th November 1933.

Approved

CHANGE OF NAME

Theodore Joseph Kielb is entered on the rolls of the Law Society as "Ted Kielb". His birth certificate dated 1st February 1937 shows his name as "Tadek Kielb" His Baptismal Certificate dated 21st July 1941 shows his name as "Tadek Joseph Kielb". He asks that his name be changed on the Rolls to "Theodore Joseph Kielb".

Your Committee recommends that the request be granted.

PORTRAITS

In January 1964 the Finance Committee approved of an offer of Mr. Eduard Zukowski to supervise all the portraits owned by the Society on a yearly basis at a fee of $450.00 to $500.00. Mr. Zukowski presented a report on his work for the calendar year 1965.

Approved

The Report, with one amendment, was adopted.

PROFESSIONAL CONDUCT COMMITTEE — Mr. Wright

Your Committee met on the 10th February, 1966, at 11:00 a.m., the following members being present: Mr. Peter Wright, Chairman, Mr. S. E. Fennell, Vice-Chairman, and Messrs. Keith, Pepper, Slemin and Strauss.

Your Committee considered the following matters:

1. RULING 10 - SIGNS

Your Committee had before it letters from four members of the profession who questioned the application of this Ruling to their signs on the grounds generally that it was necessary for a solicitor in suburban areas to have larger and better signs than other solicitors; that reputable sign companies with the knowledge of the Committee's thinking had designed and put up the signs and that the solicitors had spent or were spending large amounts of money, of the order of $300.00, to construct these signs.

Your Committee took action with regard to all of these signs and issued instructions to the solicitors that they should alter their signs not later than the 15th of April next. Your Committee was disturbed however by the attitude not only of these but of other solicitors with regard to signs and thought it appropriate to report to Convocation that there are a number of members of the profession who regard signs as a legitimate method of attracting business and who are prepared to pay comparatively large sums of money for the best quality gold, special lighting and large metal lettering in order the better to bring to the attention of the public the law services which they stand ready to perform.

Your Committee believes that signs are only required to identify a lawyer's office to his clients. They do not consider that signs should be designed to attract the public to lawyers' offices generally or to the office of particular lawyers. Your Committee has been impressed by the fact that the Medical profession in Ontario follows practices with regard to signs which are appropriate to a profession and are universally in good taste. We therefore enquired from the Ontario Medical Association as to how this result was brought about and we learned that there was no specific Rule but that the present desirable practice was the result of a powerful campaign many years ago. We were taken by the motto which we understand was used in that campaign: "the larger the sign the smaller the doctor". We respectfully suggest to Convocation and to the legal profession in Ontario that the same simple principle applies to our signs: "the larger the sign the smaller the lawyer".

Your Committee believes it is important to impress upon all members of the profession in Ontario that the growing practice of having ostentatious signs reflects adversely on the whole profession and is out of keeping both with our traditions and our privileges.

2. PROPOSED NEW RULING 10 - SIGNS AND LETTERHEADS

At its meeting on the 9th of September 1965, your Committee recommended that a new Ruling 10, being an apt combination of Rulings 10 (Signs) and 12 (Letterheads), should be adopted. At the subsequent meeting of Convocation in the afternoon there was a long discussion about firm names which, in the respectful opinion of your Committee, is not really involved in the necessary consideration of the issues raised by the combined Ruling. Your Committee has, however, reconsidered the matter and respectfully recommends that proposed New Ruling 10, as set out in "Appendix A", be adopted by Convocation. It has not, in this exact form, been published to the profession but the substance of it has in fact been adopted in Rulings 10 and 12.

In connection with the existing Rulings 10 and 12, your Committee has received several letters arguing that it is appropriate to use in the titles of law firms in Ontario the names of persons who are not and have never been members of the Bar of Ontario. Your Committee points out that enactment of the proposed Ruling will make it clear that such an argument is not open to those disposed to advance it. So far as the question of firm names is concerned, this matter stands referred to the National Professional Conduct Committee which is already considering it.

3. PROPOSED NEW RULING 16 - DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

A proposed New Ruling 16 was published in the Ontario Reports of the 14th of January, 1966, and a number of comments were received from members of the profession. These were considered by your Committee. Your Committee respectfully recommends that the Proposed New Ruling, "Appendix B", be approved and that it supplant Rulings 16, 19, 22, and 26.

4. RULING 18 - TOUTING, ADVERTISING & ATTRACTING BUSINESS UNFAIRLY

The Essex Law Association has written objecting to the distribution of professional cards by bank managers, real estate agents and other persons, and suggesting that a lawyer has a duty to see that his cards do not fall into the hands of people who are likely to distribute them. Your Committee agreed that this was not a desirable practice and the Chairman was directed to write the Essex Law Association saying that members of the Society were under a duty not to give their professional cards to any person for general distribution.

5. RULING 30 - PUBLIC APPEARANCES

A lawyer in an Ontario town had been asked to participate in a weekly radio broadcast to answer general questions of law. The matter was considered by your Committee which agreed with the opinion of the Treasurer that it was not proper in the circumstances.

6. MISCELLANEOUS

(a) The position of lawyers who are also members of other professions and particularly Chartered Accountants, came to the attention of your Committee through the concern of the American Bar Association with the problem. The whole question was referred to a Sub-Committee of your Committee and will be reported on later.

(b) A member had enquired of the propriety of the partners of the City Solicitor of an Ontario City appearing for other clients before a Committee of Adjustment where the City was not appearing. Such a practice was considered not to be improper by your Committee, but it might prevent the City Solicitor from acting for the City in further proceedings involving the same matter.

(c) Your Committee had before it two sharp uncivil exchanges of correspondence between solicitors in civil matters in which members of the Society had thought it was proper to threaten other colleagues with the grim fate of having correspondence referred to the Professional Conduct Committee. Your Committee has read and studied these letters and similar letters in other cases and considers that they do not, in any cases yet brought to its attention, merit a Ruling on professional conduct. In some cases they reflect adversely on the good manners of the solicitors concerned. Although your Committee is prepared to do its duty in any matter referred to it, it does not relish the task of reading ill-natured correspondence between members of the Society which do not involve real questions of Professional Conduct.

(d) A solicitor has brought to the attention of the Committee the insertion by a firm in the white pages of the local telephone book of a number of firm names putting in first place each name in turn so that the firm of "Blank, Swank, & Dank" appears not only under that heading but as "Drank, Blank and Swank" and as "Swank, Drank and Blank". The Chairman was instructed to write in the particular instance pointing out that this was not in accordance with the dignity of the profession.

APPENDIX A.

PROPOSED NEW RULING 10

SIGNS AND LETTERHEADS

(1) Members should not use letterhead paper or signs identifying their office which include the names of persons who either are not now or never were qualified to practise in Ontario except that members who practise in the industrial property field may show the names of patent and trade-mark agents registered in Canada who are identified as such but who are not solicitors.

(2) A member's letterhead and the signs identifying his office should be restricted to the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm and the words "barrister-at-law", "barrister and solicitor", "lawyer", "law office", or the plural where applicable, the words "notary" or "commissioner for oaths" or both and their plural where applicable may be added. A statement of office hours or alternative addresses may appear, and the words "patent and trade mark agent" in proper cases.

(3) Such words as "money to loan", "insurance office", "proctors", "attorneys", "mortgages", "solicitor to the township", or any other client, and the like if now in use will be removed.

(4) Lettering and signs will be of modest size and in good taste. As a general guide no sign need have the letters larger than six inches in height.

(5) The Professional Conduct Committee may in special circumstances authorize exceptions to this Ruling.

APPENDIX B

PROPOSED NEW RULING 16

DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

1. No member shall authorize the insertion in the yellow pages of any telephone directory published in Ontario of more than a single listing of the firm name, address and number in regular type under the heading "Lawyers" for each office or branch office and for each partner or member of the firm and in each section of the yellow pages directory in each area where an office or branch office is maintained. Members who are patent agents or attorneys may have a similar listing under the heading "Patent Attorneys & Agents".

2. A member may circulate among the profession or among clients, or publish in any newspaper in Ontario, announcements in good taste pertaining to his practice which convey information such as a change of address or of personnel.

3. A member may insert a card, notice or announcement in connection with his practice in any law list, legal directory, professional or trade journal or similar publication when such publication has been approved by Convocation on such terms as Convocation may from time to time approve.

4. Such approval shall normally be on the recommendation of the Professional Conduct Committee and may be withdrawn at any time.

5. A professional card shall contain no more than the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm, and the words "barrister-at-law", "barrister and solicitor", "lawyer", "law office", "notary", "commissioner for oaths", "patent agent" or "patent attorney" or their plural where applicable, the address, telephone number, cable address, office hours, and any pertinent announcement when required. There may appear in addition date and place of birth and admission to the Bar, schools attended with dates of graduation, degrees and other educational distinctions; war service and decorations; public or quasi public offices, posts of honour, legal authorships, legal teaching positions, memberships and offices in bar associations and committees thereof and in legal and scientific societies. Members may also include a brief description of the nature of their practice but no mention should be made of representative clients.

6. Except as expressly allowed by this Ruling no member shall permit the insertion of a professional card in any newspaper, periodical, programme or other publication.

7. Notwithstanding the other clauses of this Ruling the Professional Conduct Committee may generally and in particular cases authorize other and additional publication.

Moved by Mr. Wright, seconded by Mr. Fennell, that the Report be adopted.

After some discussion it was moved in amendment by Mr. Wright, seconded by Mr. O'Brien, that paragraph 2 - "Proposed New Ruling 10 - Signs and Letterheads" and Appendix A be referred back.

The amendment was carried.

The Report as amended was adopted.

CONVOCATION ADJOURNED AT 12:45 P.M.

CONVOCATION RESUMED AT 2:30 P.M., a quorum being present.

LIBRARY COMMITTEE — Mr. Steele

Your Committee met on the 16th February, 1966, the following members being present: Messrs. Steele (Chairman), W. S. Martin (Vice-Chairman), Bruce, Common, Harris, Slemin and Strauss.

MISSING BOOKS

Your Committee reports that ten text-books, most of which cannot be replaced, disappeared from the library in the year 1965 and that thirty-one text-books taken out in previous years were returned during the year. Your Committee recommends that a notice be inserted in the Ontario Reports listing the books taken contrary to the Rules in 1965 and appealing to the members of the profession to return any library books which may be in their possession.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on the 18th February, 1966, the following members being present: Mr. R. L. Seaman (Chairman), Messrs. Ball, Beament, Clement, Creighton, Fennell, Ford, Levinter, Raney, Slemin, Steele and Strauss.

HOUSEHOLD FINANCE CORPORATION LTD

Your Committee reviewed correspondence from the Local Registrar, S.C.O., Windsor, Ontario, stating that the Household Finance Corporation Ltd. had obtained orders extending the time for filing documents pursuant to the provisions of the Bills of Sale and Chattel Mortgages Act. The Committee forwarded the complaint to Counsel for an opinion. Counsel informed the Committee that the practice of Household Finance Corporation and all other Companies obtaining such orders was contrary to the law.

Your Committee instructed the Secretary to write the Chief Judge of the County and District Courts informing him that the Committee would be most grateful if he would ask the Judges to curb the granting of such orders when the applicant is not represented by a member of the Law Society.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE — Mr. Ball

Your Committee met on the 18th February, 1966, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Clement, Creighton, Raney, Slemin, Steele and Strauss.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following county and district associations have filed their annual returns for the year 1965 in accordance with Rule 103 and have complied in all other respects with the requirements of the Rules and recommends that grants be made to them as follows:

Brant	1,275.00
Hamilton	1,850.00
Leeds & Grenville	800.00
Lincoln	1,850.00

Middlesex	1,850.00
Muskoka	600.00
Welland	1,850.00
Waterloo	1,850.00
Wellington	1,225.00
York	2,500.00

INSPECTION

The Chief Librarian reported that six county and district libraries had been inspected from December 1, 1965.

Your Committee reports that it has requested the Chief Librarian to obtain a list of those county and district libraries thought to be most in need of inspection from the former Chief Librarian, in order to establish a policy of inspection for the current year.

THE REPORT WAS ADOPTED.

LEGAL AID COMMITTEE — Mr. Steele

Your Committee met on the 16th February, 1966, the following members being present: Mr. Isadore Levinter (Chairman), Mr. R. D. Steele (Vice-Chairman), and Messrs. Common, Ford, Maloney and Strauss.

ONTARIO LEGAL AID PLAN - 1965

Attached hereto, as part of this report, is the report of the Provincial Director for the year 1965.

The Committee approves and adopts the report and refers it to Convocation for its information.

TO THE LEGAL AID COMMITTEE

The Provincial Director begs leave to present the fourteenth Legal Aid Report for the year 1965.

Reports were received from all but two Counties for the year 1965.

The Districts of Algoma, Cochrane and Kenora made no report on civil Legal Aid. The Local Director for the District of Algoma stated that no civil plan is in existence in that area, however, he hopes to institute a plan in the near future.

The Local Director for the District of Nipissing reported that each firm handled its own civil Legal Aid and, therefore, he had no knowledge of civil applications.

The County of Oxford and the United Counties of Stormont, Dundas and Glengarry maintained no records concerning civil cases. However, assistance in criminal matters was provided in every County and District reporting.

Some of the reports received stated that the statistics did not include the numerous Legal Aid services provided by individual lawyers to the indigent without a formal application being made to the Local Director. Therefore the data set out in this report can only be taken as an estimate. In many instances, no adequate record was kept and, therefore, no accurate set of statistics can be presented.

The York County Legal Aid Office reported 10,629 applications for Legal Aid assistance of which 9,842 were eligible. The other Counties in Ontario received a total number of 7,996 applications of which 5,172 were granted Legal Aid assistance. It is interesting to note that York County granted Legal Aid to almost twice as many applicants as the other Counties and Districts combined.

The County of Wentworth received 2,390 applications in 1965. Actual Legal Aid assistance was granted to 771. However, many of the applicants had their problem settled with advice only.

The following Counties also recorded a substantial number of Legal Aid cases:

County/District	*Number of Applications*	*Number of Applicants Granted Assistance*
Carleton	854	759
Essex	460	404
Middlesex	591	186
Ontario	469	357
Peel	293	293
Peterborough	242	208

The following figures indicate the actual number of Legal Aid cases handled in Ontario during 1965 compared with previous years:

Actual Number of Legal Aid Cases	*1965*	*1964*	*1963*	*1962*	*1961*
Civil	11,788	10,284	10,300	7,210	5,303
Criminal	3,226	2,441	1,656	1,398	1,735

You will note that 10,284 persons received *civil* Legal Aid assistance in 1964 and 11,788 received such assistance in 1965 - an increase of 1,504 in the number of civil Legal Aid cases handled for the year. A total of 2,441 persons received *criminal* Legal Aid assistance in 1964 and 3,226 received such assistance in 1965 - an increase of 785 in the number of criminal Legal Aid cases. Of the criminal cases recorded, twenty-one were murder charges.

In 1965 a total of 18,625 persons applied for Legal Aid in the Province, and of these 15,014 were reported eligible.

In 1964 a total of 14,727 persons applied for Legal Aid in the Province, and of these 12,725 were reported eligible.

Compared to 1964, a total of 3,898 more persons applied for Legal Aid in 1965, and of these 2,289 more persons were eligible.

Attached to this report is a schedule setting out the Counties and Districts which provide Legal Aid in Ontario, showing the total number of applications received, the number of eligible applicants, the total number of civil actions handled and the total number of criminal actions handled.

The Society's thanks is extended to the entire legal profession whose support has made possible the provision of legal services to members of the public who find themselves in financial difficulties. The Society further acknowledges with thanks the financial aid provided by the Government and the Attorney General of this Province.

On behalf of the Legal Aid Committee and personally, I wish to thank the Local Advisory Committees, the Local Directors, and members of the profession generally for their support of the Legal Aid Plan.

February 16, 1966. Provincial Director.

SCHEDULE

County/District	*Total No. of Applications*	*No. of Eligible Applicants*	*No. of Civil Actions*	*No. of Criminal Actions*
Algoma	57	57	No record	57
Brant	119	99	80	19
Bruce	81	75	34	41
Carleton	854	759	367	392
Cochrane	6	6	0	6
Dufferin	14	14	2	12
Elgin	42	31	6	25
Essex	460	404	340	64
Frontenac	325	312	160	152
Grey	30	30	5	25
Haldimand	10	9	4	5
Halton	47	30	7	23
Hastings	60	49	29	20
Huron	12	11	3	8
Kenora	97	69	No record	69

County/District	*Total No. of Applications*	*No. of Eligible Applicants*	*No. of Civil Actions*	*No. of Criminal Actions*
Kent	51	20	5	15
Lambton	113	99	64	35
Lanark	24	19	7	12
Leeds & Grenville	32	28	6	22
Lincoln	26	23	12	11
Middlesex	591	186	120	66
Nipissing	43	27	7	20
Norfolk	25	16	10	6
Northumberland & Durham	48	44	33	11
Ontario	469	357	263	94
Oxford	7	5	No record	5
Parry Sound	178	178	143	35
Peel	293	293	150	143
Perth	154	136	62	74
Peterborough	242	208	153	55
Prescott & Russell	143	86	24	62
Rainy River	135	105	60	45
Renfrew	16	16	10	6
Simcoe	147	101	28	73
Stormont, Dundas & Glengarry	80	65	No record	65
Sudbury	120	58	22	36
Temiskaming	56	55	31	24
Thunder Bay	165	133	61	72
Victoria & Haliburton	22	21	8	13
Waterloo	83	71	43	28
Welland	80	58	23	35
Wellington	49	38	25	13
Wentworth	2,390	771	602	169
York	10,629	9,842	8,779	1,063
	18,625	15,014	11,788	3,226

THE REPORT WAS ADOPTED.

Moved by Mr. Steele, seconded by Mr. Strauss, that a copy of the Report of the Provincial Director be sent to each Bencher.

Carried.

SPECIAL COMMITTEE ON THE SCOPE OF THE LEGAL PROFESSION — Mr. Howland

Your Committee met on the 16th February 1966 at 2:00 o'clock in the afternoon, the following members being present: Mr. Howland, Chairman, and Messrs. Harris, Keith and W. S. Martin.

The recommendation for a survey of the scope of the legal profession arose from a Report of the Discipline Committee respecting the first ten years of the operation of the Compensation Fund. In the Report it was noted that of the total sum of $1,213,804.03 which had been paid out of the Fund, $714,290.09 represented claims in excess of $50,000.00 arising from the defalcation of only 8 solicitors. Of these, 6 made a specialty of investing money for clients at unusually high interest rates or with large bonuses and 6 practised alone. It should also be noted that a number of defalcations have arisen from situations where a solicitor has invested his own funds in a corporation which later got into financial difficulties.

In considering what further limitations, if any, should be placed on the scope of the legal profession it is necessary to bear in mind the steps which have already been taken to prevent defalcations.

1. *Mortgage Brokers*

Under Ruling 15 of the Professional Conduct Committee a solicitor must register under The Mortgage Brokers Registration Act if he is acting as a mortgage broker. Under the Act a mortgage broker is defined as

> "a person who carries on the business of lending money on the security of real estate, whether the money is his own or that of another person, or who holds himself out as or who by an advertisement, notice or sign indicates that he is a mortgage broker, or a person who carries on the business of dealing in mortgages."

Out of some 633 mortgage brokers registered under the Act 123 lawyers or law firms are registered. 71 lawyers are registered as mortgage brokers in their own names and 52 law firms are also registered as mortgage brokers. Of the law firms registered more than 58% are situated outside the City of Toronto. In addition there are some 65 companies registered as carrying on the business of mortgage brokers in which lawyers are actively engaged in the conduct of the business. Probably the most common transactions in which a solicitor might be engaged are the following:-

(a) a solicitor may arrange a mortgage for a client with a lending institution or a third person and receive a finder's fee;

(b) a solicitor may loan his own money on the security of a mortgage;

(c) a solicitor may have a client's money in his trust account and assist the client in finding mortgages for investment;

(d) a solicitor may buy or sell mortgages for his own account as a principal;

(e) a solicitor may act for a client in negotiating the sale or purchase of mortgages held by the client.

Registration under The Mortgage Brokers Registration Act is not required in the case of a sale or purchase of existing mortgages. With the advent of first mortgages up to approximately 87% of the value of the mortgaged property it is understood that the amount of business formerly transacted by second mortgage brokers has been materially reduced.

The Registrar under The Mortgage Brokers Registration Act has not received any complaints respecting the conduct of solicitors as mortgage brokers under the Act in recent months. The Registrar did not consider that the bonding of mortgage brokers would materially improve the administration of the Act.

2. *Borrowing from clients and investing clients' money.*

Convocation was particularly concerned in 1963 about solicitors borrowing large sums from clients and reinvesting the funds for their own profit. In the case of several defalcations clients took the position that they had not loaned the money to the solicitor but that the solicitor had invested the moneys for them.

In conjunction with Ruling 14 of the Professional Conduct Committee Convocation enunciated the following principles:

> "1. A Solicitor should not borrow money from his clients save in exceptional circumstances, and in that case the onus of proving that the client's interests were fully protected by the nature of the case or by independent advice will rest on the Solicitor.
>
> 2. In transactions in which the client's funds are invested in a security in which the Solicitor has a personal interest, either direct or indirect or through a Corporation or Syndicate in which the Solicitor has a substantial or controlling interest, the fullest disclosure must be made to the client in writing and the client

must be represented by an independent Solicitor in the transaction.

3. Whether a person lending money to a Solicitor on his own account or investing funds in a security in which the Solicitor has an interest is to be considered a client within the above principle, is to be determined having regard to all the circumstances. If the circumstances are such that the lender or investor might reasonably suppose that he was entitled to look to the Solicitor for guidance and advice in respect of the loan or investment, then the Solicitor should consider himself bound by the same fiduciary obligation that attaches to a Solicitor in dealings with a client."

3. *Participation by Solicitors in Corporations.*

A great many solicitors act as directors, officers and shareholders of public and private corporations. This interest may vary from a qualifying director's share to a substantial investment in the shares of the company. In many instances the interest of the solicitor is primarily that of an investment. In other cases he may have an investment in addition to performing duties as solicitor for the company. The rare instances where defalcations have occurred would not appear to justify any further restriction on the right of a solicitor to invest his funds in such manner as he may see fit as long as he complies with the Rulings of the Professional Conduct Committee and the rules of the Law Society Respecting Accounts.

4. *The Situation in other Provinces*

Enquiries were made from the governing bodies of the legal profession in the other Canadian Provinces. Saskatchewan has recently passed a ruling that no practising solicitor should be interested directly or indirectly in the management or control of a collection agency. It had no objection to the solicitor owning shares in the collection agency as long as his holdings were not large enough to give him control directly or indirectly in the collection agency. In that case there had been complaints that the solicitor was using the collection agency indirectly to obtain business.

None of the other Provinces had taken steps to limit the scope of the legal profession. British Columbia pointed out that it endeavoured to ensure that the solicitor's professional practice was kept separate from any business.

Your Committee did not consider that the placing of any further limitations on the scope of the legal profession at the present time was warranted.

Your Committee recommends that it be discharged.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON THE APPOINTMENT OF A SECRETARY — Mr. G. A. Martin

Your Committee, composed of the Treasurer as Chairman and Messrs. G. A. Martin, Howland and O'Brien reported on the 17th September, 1965, and recommended, and Convocation approved, that immediate steps be taken to engage an Assistant Secretary, his employment to take effect as soon as possible. Advertisements were published in the Ontario Reports on the 10th September, 29th October and 5th November, 1965, for applications for appointment to this office.

A number of applications were received and considered.

Your Committee recommends that Clarence I. Scott be appointed Assistant Secretary of the Law Society effective the 1st of April, 1966.

Mr. Scott is a graduate of Osgoode Hall Law School and was called to the Bar in 1956.

THE REPORT WAS ADOPTED.

CORRESPONDENCE

The Treasurer referred to a letter from Mr. Gordon S. Macdonald, Q.C. enclosing a Petition for Reinstatement of Harry Richards McGladdery.

Moved by Mr. Gray, seconded by Mr. Robins, that the matter be referred to the Discipline Committee for consideration and report. *Carried*

PRESENTATION

The Canada Life Assurance Company has presented to the Society a portrait by E. Wyly Grier of Sir George W. Burton, one time Chief Justice of Ontario.

ORDERED that this presentation be received with thanks.

NOTICE OF MOTIONS

Mr. Beament, in the absence of Mr. Starr, gave formal notice of the following three motions to be made by Mr. Starr at Convocation in March:

1. That the Legal Education Committee is hereby authorized in cooperation with the recognized Law Schools in Ontario and the Director of Bar Admission, to create and design a course of study which shall not be optional, for the full three years in the recognized Law Schools, and in the Bar Admission Course, to persuade the students, in so far as it may be possible, to enter upon their profession with pride in it and in themselves, and with dignity and integrity.

   And that such course of study be undertaken by the profession with no remuneration.

   And that the attainment of a passing grade in such course of study be a condition precedent for admission to the practise of law in Ontario.
2. That the Discipline Committee is hereby authorized to undertake an extensive and thorough investigation personally with representative firms or individuals in the profession throughout the Province to determine a method best suited to put an end to, in so far as it may be possible, the improper use of money and securities which do not belong to solicitors.
3. That the Treasurer appoint a Committee of two to interview the Prime Minister and the Minister of Justice, and such other persons as may be advisable, to develop a method for the appointment of Judges of the Supreme and County Courts, designed to ensure the best appointments to the Bench free of political considerations."

J. D. Arnup,
Treasurer.

MEETING OF CONVOCATION

Friday, 18th March 1966
10:30 a.m.

Present:

The Treasurer and Messrs. Ball, Beament, Beaton, Bruce, Chitty, Common, Creighton, Fennell, Gray, Howland, Levinter, Maloney, G. A. Martin, W. S. Martin, O'Brien, Pepper, Robins, Roebuck, Seaman, Seymour, Sheard, Slemin, Steele, Strauss, Weir, Williston, P. D. Wilson, R. F. Wilson and Wright.

The Minutes of the meeting of Convocation of the 18th February 1966 were read and confirmed.

The Treasurer told Convocation that he found it impossible to continue sitting on the Osgoode Hall Building Extension Committee without in fact speaking as a representative of the profession. He said that the Committee is advisory only, so that its deliberations are private and cannot be divulged. He was therefore unable to answer inquiries from members of the Bar or discuss the issues. The Treasurer told Convocation that in the circumstances he proposed to resign from the Committee, but that the same considerations would not apply to Mr. Carson or Mr. O'Brien.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on Thursday, the 17th day of March, 1966, at 4:00 p.m., the following members being present: W. G. C. Howland, Chairman, S. L. Robins, Vice-Chairman, and Messrs. Ball, Seaman, Sheard, Weir and R. F. Wilson.

BAR ADMISSION COURSE

Examination Results — Seventh Bar Admission Course

The report of the Director of the Bar Admission Course on the results of the examinations is submitted herewith showing that 40 have passed with Honours, another 223 have passed, and 2 have failed.

OSGOODE HALL LAW SCHOOL

Law School Curriculum — Proposed Changes

A memorandum from the Dean is before the Committee outlining the proposed changes in the Law School curriculum for the academic session 1966-67.

Approved

Leave of Absence

Your Committee recommends that leave of absence be granted to Professor Linden for the academic session 1966-67.

Law School Teaching Staff

Part-time Teaching Staff
Special Lecturers

The Dean recommends that the following Special Lecturers be re-appointed for a period of one year as of July 1, 1966,

Harold Purdy Crawford	42 hours	Income Tax
	36	Accounting (shared)
Leslie Robert Freeman, Q.C.	30	Insurance Law
Warren Maitland Harris Grover	30	Legal Regulation of Competition
Kenneth Herbert Cridge Laundy, C.A.	36	Accounting (shared)
John James Mahoney, Q.C.	30	Admiralty Law
John Graham McDonald, Q.C.	30	Seminar in Advanced Taxation
Richard Elias Shibley, Q.C.	60	Civil Procedure

Approved

Honorary Lecturers

The Dean also recommends the re-appointment of Dr. Harold George Fox, Q.C. as Honorary Lecturer in Patents, Trade Marks and Copyright; Dr. Goldwin Arthur Martin, Q.C. as Honorary Lecturer in Criminal Procedure; and William Goldwin Carrington Howland, Q.C. as Honorary Lecturer in Conveyancing and Mortgages.

The Committee may wish to express its thanks to Dr. Fox, Dr. Martin and Mr. Howland for the services they have so generously rendered. Dr. Martin will be relinquishing his responsibility for the substantive part of the Criminal Law course and will lecture on Criminal Procedure. The responsibility for the substantive criminal law will be assumed by the full-time staff.

Approved

Associate in Local Government and Planning Law

The Dean recommends that William Ross Callow, Q.C. be re-appointed Associate in Local Government and Planning Law for one year from July 1, 1966.

Approved

Honorary Visiting Lecturer

The Dean recommends that Lachlan Randolph MacTavish, Q.C., Legislative Counsel, Province of Ontario, be recognized as Honorary Visiting Lecturer in Legislation.

Approved

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

The Assistant Dean recommends that Sidney Raymond Peck of the Faculty of Law, University of Western Ontario, be appointed to the full-time teaching staff of Osgoode Hall Law School with the rank of Assistant Professor as of the 1st of July, 1966.

Approved

The Assistant Dean recommends that Mark R. MacGuigan of the Faculty of Law, University of Toronto, be appointed to the full-time teaching staff of Osgoode Hall Law School with the rank of full Professor as of 1st July, 1966.

Approved

THE REPORT WAS ADOPTED

Convocation recorded its deep sense of gratitude to Dr. Fox, Mr. Howland and Dr. G. A. Martin for the contribution to Legal Education in Ontario which they have made over the years.

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on the 17th March, 1966, at 3:00 p.m. the following members being present: Mr. Terence Sheard, Chairman, and Messrs. Howland, Robins and R. F. Wilson.

Your Committee considered applications to transfer to practice in Ontario from lawyers in other provinces of Canada and elsewhere in the Commonwealth and made recommendations thereon.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE — Mr. R. F. Wilson

Your Committee met on the 16th March, 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Sheard (Vice-Chairman), Gray, Howland, Levinter, W. S. Martin, Slemin and Steele.

ACCOUNTS

The Secretary reports that from the 1st February to the 28th February 1966 accounts, including Library Accounts, properly approved, to the amount of $66,802.83 have been paid.

The Secretary also reports that from the 1st February to the 28th February 1966 Legal Aid accounts to the amount of $906.09 have been paid.

Noted

ROLLS AND RECORDS

The Secretary reports —

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

E. L. Claridge, Q.C.,	Called — 22nd May 1924
Gore Bay	Deceased — 3rd February 1966.
S. J. Birnbaum, Q.C., Toronto	Called — 12th June 1914
(Honorary Life Member)	Deceased — 10th February 1966.
Arthur Minden, Q.C.,	Called — 19th September 1935
Toronto	Deceased — 9th March 1966.

Noted

CHANGE OF NAME

Samuel John Grant - By an Order of His Honour Judge Denton dated 16th February 1966, the name of "Samuel John Gruvick" was changed to "Samuel John Grant". He asks that the necessary changes be made on the rolls and records of the Society.

Donald Lloyd Grant - By an Order of His Honour Judge McDonagh dated 23rd February 1966, the name of "Donald Lloyd Granatstein" was changed to "Donald Lloyd Grant". He asks that the necessary changes be made on the rolls and records of the Society.

Sheldon C. Esbin is entered on the rolls and records of the Law Society as "Sheldon Esbin". He asks that his name be changed to "Sheldon C. Esbin".

Isadore Prydatok is entered on the rolls and records of the Law Society as "Isadore Danial Prydatok". He asks that his name be changed to "Isadore Prydatok".

Your Committee recommends that these requests be granted, and that the necessary changes be made on the rolls and records of the Society.

LEGAL EDUCATION COMMITTEE

Law Society Scholarships for Post-Graduate Study

At its meeting on the 17th February 1966 the Legal Education Committee considered seven applications for Law Society Scholarships for Post-Graduate Study. The Committee recommended that the matter be referred to the Finance Committee to determine whether funds are available for this purpose.

For some years an item of $5,000.00 has been included in the Law School budget for these scholarships, and has been included in the grant from the Province of Ontario. The Provincial Government, in making its grant for the academic session 1966-67 has deleted all items for scholarships and bursaries, and there are therefore no funds for this purpose.

Your Committee recommends that in the light of our present budget no funds be made available from Law Society funds for these scholarships.

ARREARS OF ANNUAL FEES, 1965-66

The Secretary submits a list of 183 members in arrears for fees, made up as follows:

Practising members, 1965-66	94	(1964-65—131)
Non-practising members, 1965-66	25	(1964-65— 78)
Practising members in arrears for 2 years	29	(1964-65— 21)
Non-practising members in arrears for 2 years or more	32	(1964-65— 8)
Members in arrear as practising members for 1 year, as non-practising members for 1 year (2 years)	2	
Practising member in arrear for 1964-65	1	
Total	183	

Your Committee recommends that a letter be written to all members in arrears for fees for a period of more than one year, informing them that unless their arrears are paid by April 5th, 1966 a notice will be served on them notifying them that a resolution as to their suspension from practice will be considered at the meeting of Convocation to be held on April 15th 1966.

THE REPORT WAS ADOPTED

Honorary Bencher

The Treasurer referred to the imminent retirement of the Secretary, and to the large part that association with Convocation and the benchers had played in the Secretary's life. He suggested that nothing that could be done for Mr. Smith could mean as much to him as to be made an Honorary Bencher of the Society.

Moved by Mr. R. F. Wilson, seconded by Mr. G. A. Martin, that effective the 30th June 1966 William Earl Smith be elected an Honorary Bencher of the Law Society of Upper Canada.

Carried Unanimously

DISCIPLINE COMMITTEE — Mr. O'Brien

RE: GORDON ROSS MACKAY

After a lengthy investigation and in the special circumstances, detailed in the report, the Committee recommended that the penalty first recommended to Convocation, be changed to a recommendation that the solicitor be reprimanded in Convocation, upon his undertaking to submit quarterly audited statements of his professional books and records.

Moved by Mr. O'Brien, seconded by Mr. Levinter, that the Report be adopted.

The solicitor attended with his counsel, Mr. C. G. S. McKeown.

Mr. Howland took no part in the discussion and did not vote.

The motion was carried.

The solicitor re-attended with his counsel and was reprimanded by the Treasurer, and gave the required undertaking.

RE: GERARD S. MACLEAN

Compensation Fund Claims

Mr. G. A. Martin

The Discipline Committee reported upon a lengthy consideration on eleven separate days of 25 applications to the Compensation Fund in respect of Gerard S. MacLean totalling $433,805.84, and recommended $76,556.68 be paid out to those whose claims were found to be established. The Committee reported on a number of claims which were withdrawn or found upon investigation to be not established in whole or in part, and explained that consideration of several applications was adjourned sine die since they were not ready for presentation at this time.

THE REPORT WAS ADOPTED

REPORT RE COMPULSORY ANNUAL AUDITS

Mr. O'Brien

As of today 116 members have not complied with the Rule requiring them to submit the report of a Public Accountant or a statutory declaration respecting their professional records.

These fall into three main categories: Those who are no longer resident in Ontario, which number 23, those who are resident in Ontario but not engaged in the practice of law, which number 47, and finally, those who appear to be practising in Ontario of which there are 46.

Your Committee has instructed the Society's auditor to conduct full investigations of all of the records of all those in the last group, except those who are already under active investigation for other reasons.

THE REPORT WAS RECEIVED

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Seaman

Your Committee met on the 18th March 1966, the following members being present: Mr. R. L. Seaman (Chairman), Mr. S. E. Weir (Vice-Chairman), and Messrs. Ball, Beament, Creighton, Fennell, Levinter, Martin, W. S., Slemin, Steele and Strauss.

R. L. SEAMAN, ESQ., Q.C. — *Retirement as Chairman*

Mr. Seaman informed the Committee of his retirement as Chairman of the Unauthorized Practice Committee, and as a Bencher of the Law Society, at the expiration of his present term of office.

The Committee instructed the Secretary to record its appreciation to Mr. Seaman for his many contributions as Chairman of the Committee, and their regret that he is retiring as a Bencher of the Law Society.

THE CORPORATION OF IMMIGRANT LAWYERS AND JUDGES IN CANADA

(*Application for Incorporation*)

The Secretary received correspondence from the Deputy Provincial Secretary with respect to the application for incorporation requested by five notaries public in the City of Toronto.

The applicants requested that the corporate name be "The Corporation of Immigrant Lawyers and Judges in Canada".

The Committee reviewed the proposed objects of the corporation and recommended that the Deputy Provincial Secretary be informed that the Unauthorized Practice Committee is vigorously opposed to the incorporation of the Company on the grounds that such incorporation would foster and develop practices detrimental to the public interest in that unauthorized and unqualified persons would be attempting to render legal services.

THE REPORT WAS ADOPTED

SPECIAL COMMITTEE ON RETIRED JUDGES RETURNING TO PRACTICE — Mr. O'Brien

Moved by Mr. Weir, seconded by Mr. Gray, that a copy of the Report be sent to each member of Convocation, the Report to be dealt with at the April Convocation.

Carried

SPECIAL COMMITTEE ON THE ORGANIZATION OF CONVOCATION AND COMMITTEES — Mr. Robins

Moved by Mr. Wright, seconded by Mr. Slemin, that consideration of this Report be deferred to the April Convocation, and that a copy be supplied to each member of Convocation.

Carried

REPORTING COMMITTEE — Mr. Levinter

Your Committee met on the 16th March 1966, the following members being present: Mr. Arthur Maloney, Vice-Chairman (in the Chair) and Messrs. Levinter, W. S., Martin, O'Brien and Strauss.

Ontario Reports

Your Committee reviewed the written comments of a Judge of the Supreme Court of Ontario who suggested that the Attorney General for the Province might undertake to pay the actual cost of printing the Ontario Reports, perhaps through the Queens Printer, and that if such an arrangement could be made, it would reduce the publication expense to the Law Society and the Society could take over the job of editing once again.

Your Committee instructed the Secretary to write the Judge, stating that the matter would be deferred for a two year period in view of the fact that a new five year contract with Canada Law Book has just been entered into. However, the Secretary was instructed to inform the Judge that the Committee was most grateful for his suggestion and that his proposal would be fully explored at the appropriate time.

REASONS FOR JUDGMENT

The Chairman received correspondence from Mr. Brendan O'Brien, Q.C., concerning a judgment printed in the O.R. which reported that a solicitor had acted improperly.

The solicitor, who appeared before the Discipline Committee, stated that the judgment had been delivered and published in the Ontario Reports before he was aware that any attack on his conduct had been made and that he had no opportunity to defend himself.

The Discipline Committee recommended that the matter be considered by the Reporting Committee.

Your Committee requested the Secretary to inform Canada Law Book Company that any judgment which deals with the conduct of a solicitor be referred to the Chairman of the Reporting Committee before publication, to enable the Chairman to clarify the matter with the solicitor.

JUDGMENT - BRENNAN PAVING COMPANY LIMITED v. THE CITY OF OSHAWA

The Secretary received correspondence from the Peterborough City Engineers Association, requesting permission to reprint the judgment of McRuer, C.J.H.C., in the case of Brennan Paving Company Limited v. The City of Oshawa from the Ontario Reports, 1952, as an appendix to a looseleaf bound collection of several papers recently presented to a meeting of their group by prominent members of the legal profession.

The organization is a non-profit technical group. Distribution of the bound booklets will be limited to their own members and those lawyers who delivered the papers.

Your Committee gave permission to reprint the judgment in the form requested.

THE REPORT WAS ADOPTED

PROFESSIONAL CONDUCT COMMITTEE — Mr. Wright

The PROFESSIONAL CONDUCT COMMITTEE begs leave to report:

Your Committee met on the 10th March 1966, at 11:00 a.m., the following members being present: Mr. Wright, Chairman, and Messrs. Keith, Slemin and Strauss.

Your Committee considered the following matters:

1. PROPOSED NEW RULING 10 - SIGNS AND LETTERHEADS

Convocation on the 18th of February referred back to the Committee Proposed New Ruling 10 which was an unhappy amalgam of present Rulings 10 and 12. On the two occasions which this has been submitted to Convocation, the members of your Committee have been favoured by eloquent expressions of the perplexities which the wording used has aroused and by the helpful suggestions which have been offered to aid your Committee in its constant effort to express itself clearly, yet in the English language. In gratitude and humility your Committee has for the third time revised paragraph 1 of the Proposed New Ruling 10 and respectfully recommends that the draft now presented should be adopted by Convocation.

PROPOSED NEW RULING 10

SIGNS AND LETTERHEADS

1. Members should not use on their letterheads or on signs identifying their office the names of persons who (a) if living are not qualified to practise in Ontario, or (b) if dead never were qualified to practise in Ontario.
2. Members who practise in the industrial property field may show the names of patent and trade-mark agents registered in Canada who are identified as such but who are not solicitors.
3. Firm names used in letterheads or signs should comply with paragraph 1 of this Ruling.
4. A member's letterhead and the signs identifying his office should be restricted to the name of the lawyer or firm, a list of the members of any firm including counsel practising with the firm and the words "barrister-at-law", "barrister and solicitor", "lawyer", "law office", or the plural where applicable, the words "notary" or "commissioner for oaths" or both and their plural where applicable may be added. A statement of office hours or alternative addresses may appear, and the words "patent and trade mark agent" in proper cases.

5. Such words as “money to loan”, “insurance office”, “proctors”, “attorneys”, “mortgages”, “solicitor to the township”, or any other client, and the like if now in use will be removed.
6. Lettering and signs will be of modest size and in good taste. As a general guide no sign need have the letters larger than six inches in height.
7. The Professional Conduct Committee may in special circumstances authorize exceptions to this Ruling.

2. RULING 10 - SIGNS

(a) A solicitor whose sign in large gold letters had been disapproved by the Committee as contrary to Ruling 10 asked permission to leave his sign unchanged for a period of several months, during which time it would be determined if his lease were to be renewed. The Secretary of your Committee was instructed to write granting the permission.

(b) Your Committee instructed its Secretary to continue to obtain photographs and descriptions of signs clearly in breach of the Ruling and to submit these to your Committee and authorized him to spend up to $250.00 for this purpose.

3. RULING 16 - DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

(a) Your Committee considered the law lists, legal directories, professional or trade journals or similar publications in which a member might insert a card, notice or announcement in connection with his practice and respectfully recommends to Convocation that the following publications should be approved and the list published in the Ontario Reports;

Canadian Bar Journal
Canadian Bar Review
Advocate (British Columbia)
Manitoba Bar News
Saskatchewan Bar Review
Law School Reviews and Journals
Chitty’s Law Journal
Pamphlet Editions of Law Reports published in Canada
Martindale-Hubbell Law Directory
Butterworths Law List Commonwealth and International
The International Law List
Kime’s International Law Directory
Canada Legal Directory

Canadian Almanac and Directory
Directory and Almanac of Canada - (McGraw, Hill)
The Canadian Law List
The Law List (English)
The Scottish Law Directory
The Law Directory (Eire)

(b) Your Committee's attention was directed to an announcement card of a firm included in which was a picture of an incoming solicitor. Your Committee considered that the picture should not be published as it would breach Ruling 16 and the solicitors involved were written directly with regard to it.

4. PROPOSED NEW RULING 35 - BANKRUPTCY

The profession generally and your Committee have been disturbed by the use of bankruptcy proceedings by lawyers. Your Committee had before it the provisions with regard to this matter in the United Kingdom, in most of the Provinces of Canada and in some of the American States. These were considered by your Committee and it recommends that the following Proposed Ruling be published in a forthcoming part of the Ontario Reports with an invitation to the members to comment upon it and that it should thereafter be considered by Convocation:

PROPOSED NEW RULING 35
BANKRUPTCY

1. Any member who becomes bankrupt under the Bankruptcy Act shall immediately notify the Society.
2. A member by becoming bankrupt under the Bankruptcy Act is guilty of conduct unbecoming a barrister and solicitor or of professional misconduct unless he can show that his conduct in the matter or matters which gave rise to the bankruptcy was honourable and that it did not involve professional misconduct on his part.

Your Committee considers that this is a matter which requires the vigilent attention of Convocation and it recommends that the problem of the bankruptcy of solicitors be referred to counsel considering new legislation with regard to the profession with a recommendation that the Law Society seek legislation to suspend members automatically upon their becoming bankrupt similar to provisions in some other jurisdictions.

The Report was considered clause by clause.

Proposed New Ruling 10 - Convocation suggested that the word "now" be deleted from line 1 of clause (a) as Proposed New Ruling 10.

The proposed Ruling was approved as amended.

The remainder of the Report was approved without change.

With respect of *Proposed New Ruling 35 - Bankruptcy,* Mr. Wright raised the question of the bankruptcy of two members of the Society who will shortly apply to be discharged from bankruptcy, and moved, seconded by Mr. O'Brien, that the matter be referred to the Discipline Committee to consider retaining counsel to appear before the Bankruptcy Court to oppose the discharge from bankruptcy of Walton C. Rose and Irving A. Solnik.

Carried.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 16th March, 1966, the following members being present: Messrs. Steele (Chairman), W. S. Martin (Vice-Chairman), Levinter, Maloney, Slemin and Strauss.

DUPLICATE CATALOGUE

Your Committee reports that at a recent meeting of the Faculty of Osgoode Hall Law School, it was agreed that because of the imminent move of the law school to York University within two to three years, and the cost involved, the practice of maintaining a duplicate card catalogue for the Great Library and the Phillips Stewart Library be discontinued.

Your Committee has considered this suggestion and has noted that the duplicate catalogue has proved to be a valuable reference tool. Your Committee recommends that maintenance of the duplicate card catalogue be continued until the actual date of separation of the law school from the Law Society.

TRANSPORTATION OF BOOKS TO COURTROOMS

Your Committee reports that a suggestion has been made that the Great Library provide as a service a simple means of moving small quantities of books by individual barristers from the Great Library to adjacent courtrooms.

Your Committee recommends that the Chief Librarian be authorized to purchase five suitable book trolleys similar to one presently on hand, but preferably of Canadian manufacture, at an approximate cost of $30.00 each, to satisfy this need.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE — Mr. Ball

Your Committee met on the 18th March, 1966, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman) Beament, Creighton, W. S. Martin, Seaman, Slemin, Steele, Strauss and Weir.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following law associations have filed their annual returns for the year 1965 in accordance with Rule 103 and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to them as follows:

Cochrane	$ 917.50
Frontenac	1,325.00
Kent	1,300.00
Perth	1,000.00
Rainy River	600.00
Temiskaming	600.00

INSPECTION OF COUNTY LIBRARIES

Your Committee reports that in setting forth a policy to be followed for the inspection of county and district law libraries, a memorandum was requested from Mr. Johnston, the former Chief Librarian, indicating those libraries considered by him to be most in need of early inspection. Your Committee recommends that an inspection programme be initiated by the Chief Librarian giving priority to those libraries, followed by the remaining county and district law libraries over a period of two years.

THE REPORT WAS ADOPTED

CORRESPONDENCE

The Treasurer read a letter dated the 23rd February 1966 from the Attorney-General respecting evidence in medical malpractice cases in which it was suggested that a joint committee be appointed composed of members of the Law Society and the Ontario Medical Association, or some other body representing the medical profession, and asking for the Society's views on the suggestion.

It was moved by Mr. O'Brien, seconded by Mr. Ball that Convocation resolves that it will cooperate with the Attorney-General, and that the Treasurer be authorized to appoint a Committee to take the matter up with the Attorney General further.

Carried.

The Treasurer appointed Mr. Joseph Sedgwick, Q.C. to serve as Chairman of the Benchers' Committee with Mr. A. S. Pattillo, Q.C. and Mr. Barry Pepper, Q.C. to represent the legal profession on the Permanent Joint Committee Representing the Legal and Medical Professions.

MOTIONS

At the request of Mr. Beament, on behalf of Mr. Starr, who was not present, Mr. Starr's motions stand over to the April Convocation.

J. D. Arnup
Treasurer

SPECIAL MEETING OF CONVOCATION

FRIDAY, 25TH MARCH 1966
12 NOON

PRESENT:

The Treasurer and Messrs. Ball, Bruce, Chitty, Clement, Common, Creighton, Ford, Gray, Howland, Levinter, Maloney, McCulloch, O'Brien, Pepper, Robins, Sedgwick, Sheard, Slemin, Steele, Strauss and R. F. Wilson.

ADMISSIONS COMMITTEE — Mr. Sheard

Your Committee met on the 25th March, 1966, at 11:45 a.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Pepper, Robins and R. F. Wilson.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

Bar Admission Course

A list is submitted of 257 candidates who have successfully completed the Seventh Bar Admission Course, have filed the necessary documents and paid the required fee of $210.00, and who now apply for Call to the Bar and to be granted Certificates of Fitness.

Approved

THE REPORT WAS ADOPTED

CONVOCATION ADJOURNED AT 12:15 P.M.

The Treasurer and Benchers entertained at luncheon the Honourable Paul Martin, P.C., Q.C., Secretary of State for External Affairs, the Honourable Dana H. Porter, Chief Justice of Ontario, the Honourable George A. Gale, Chief Justice of the High Court, R. J. Roberts, Q.C., Director of the Bar Admission Course, Gordon M. Stirling, Q.C., Treasurer, Law Society of Newfoundland, and Mr. K. B. Williamson, Foreign Service Officer of the Department of External Affairs.

The Treasurer and Benchers and their guests then proceeded to the O'Keefe Centre.

CONVOCATION RESUMED *at* 2 P.M., *a quorum being present.*

The body of the auditorium was occupied by the graduates of the Bar Admission Course, their families and friends.

Call to the Bar

Mr. Terence Sheard, Q.C., Chairman of the Admissions Committee, then presented to the Treasurer and Benchers the following candidates:

with Honours

Roger Dennis Yachetti and The Treasurer's Medal; The Law Society's First Prize; The Lawyers Club First Prize.

George Brian Thomas Clements and The Law Society's Second Prize and The Lawyers Club Second Prize.

Sheldon C. Esbin and The Law Society's Third Prize.

Sheldon Jay Godfrey and the Commercial Law and Company Law Prize.

James Douglas Sharples and The Reading Law Club Prize and The Reading Law Club President's Prize.

Brian Herbert Wheatley
Bernard Koffman
John Timothy Kennish
Donald Scott Affleck
Dennis Rory O'Connor
Ralph Davidson
Richard Lee Woods
Frederick Henry Zemans
Hugh Michael Slimon
Herbert Abramson
Colin Harvey Hunter McNairn
Anthony Wellenreiter
Douglas Alan Cameron Harvey
Sandra Margaret Suzanne Oosterhoff
Joanne Barbara Veit
Waldemar Zimmerman
John Jack Fireman
David Hilary Sandler
Walter Kingsley Kirti Wijesinha
Stuart Bertrand Brister
Robert Earl Jarvis
George W. Alexandrowicz
Gary Ross Logan
Paul Joseph Fournier
Paul David Beseau
Eric Blair Russell
John Harrison Hough
Miles Mark Halberstadt
Richard Ivan Winter
John Alexander Paterson
John Theodore Evans
Allen Karp

Louis Sylvester Paul Acri
Michael Harvey Appleton
Frank Edward Armstrong
Gerardas Balciunas-Balciauskas
Laurie Robert Barker

William Pericles Bassel
Brian Blackburn Beach
Douglas R. Bell
Robert Allan Blackwell
Jean-Jacques Blais
Robert Nicholas Bosada
Frank Victor Boscariol
Robert Neville Boyle
Harry Oscar Edward Braden
William Joseph Lloyd Brennan
John Francis Brewin
Charles Alexander Brown
Dennis Watson Brown
James Alfred Lennox Brown
Thomas Hugh Buchanan
Lowell Geoffrey Budd
John Douglas Bulmer
Douglas Alexander Burns
Charles Merrill Burton
Alan Robert Campbell
Sigurd Camillo Carlsen
William Michael Carruthers
Kenneth Louis Chasse
Eugene Edward Chorozy
David Ernest Clarke
Roderick D. Clarke
Ernest Robert Clifford
Marvin Mannys Cohen
Ayres Victor Couto
David Samuel Crane
Francis Harry Cremer
James William Cruickshank
Wayne Cruickshanks
Robert Mose Patrick Daudlin
Jeannine Elaine De Vos
Mary Louise Dickson
Paul Dioguardi
Robert Arthur Donaldson
George Bailey Dunn, Jr.
Arnold Epstein
Robert Frederick Evans
Eugene Glen Ewaschuk
  The Criminal Procedure Prize
David Matthew Farrell
William Alexander Ferguson
William Francis Fitzgerald
James A. Fontana
George Warren Footit
David Stuart Forbes
Arne Ivar Fors
Malcolm Bradley Fraser
Norman Jack Freedman
Boris G. Freesman
Arthur James Fuller
Anthony Leandro Furgiuele
George Robert William Gale
Frederick Gerald Gans
Donald Joseph Gastmeier
Roland J. Genereux
Ian Gordon Gillanders
Jacob Joel Goldenberg
Harold Stanley Goldkind
Louis Goodman
George Donald Gordon
Guy Y. Goulard
James Vaughan Goulasarian
Alexander Murl Graham
William Carvel Graham
Donald Lloyd Grant
Samuel John Grant
John Thomas Peter Grimes
James Rutherford Guy
Edward Anthony Gzik
Kenneth Reid Massimo Hennessy
Perry Childs Hill
Richard James Hobson
Eibhlin Blatna Hodgson
Keith Alexander Hoilett
Robert Francis Hopkins
Leo Anthony Innocente
Otto Alvin Ivany
Joseph Robert Jakabfy
Peter Graham Jarvis
William Wayne Johnson
Neville Constantine Johnston
Brian Whitney Jones
Frederick Ross Jones

Kevin Arthur Jones
Theodore Rowan Joseph
Terrence Charles Rufus Joyce
James Karfilis
Harold Michael Kelly
John Robert Kelly
John Vincent Ovington Kelly
Robert Rankin Kennedy
Theodore Joseph Kielb
Jeffrey Lyman DeWitt King
Richard Robert John King
Frederick Thomas Kirvan
James Michael Kopinak
Harvey Gary Kotler
Stephen Gregory Kovanchak
Tonis Laar
Paul Francois Lalonde
Thomas W. Lane
John Edmund Lang
Frederick Joseph Lee
Jean Francois Lemieux
Stephen Jerome Lende
Fred Levitt
Sidney Bryan Linden
Glenn Russell Ludwig
Ross Barrick Lundy
Robert George Lush
Jeffery Stephen Lyons
Edward James Mann
Gerard A. Marchand
Jack Kenneth Martin
Paul Edgar Philippe Martin
Barry Herriot Matheson
Bill Matwichuk
James Cooper McCartney
David Ord McCray
Peter Richard Fairfield McGaw
Robert Bruce McGee
Ronald Joseph McGurk
Robert Dugald McIntyre
William Wayne McKinnon
Gordon Francis McNab
Glen Gary McNeely
Vincent Joseph McNeill
David Lawrence McWilliam
John George Metras
Darren Lloyd Michael
Edward Benjamin Middleton
Alan Robert McLean Mill
Harry Momotiuk
Deirdre Kathleen Mungovan
Robert Grant Murray
Alexander Russell Nicol
Peter John Nolan
David Malcolm Norman
Walter Joseph Obelnycki
Terrance Patrick O'Connor
Albert Henderikus Oosterhoff
William Robert John Penman
Anthony MacLeod Pilling
Allan Henry Posner
Georges Proulx
Isadore Prydatok
Alexander David George Purdy
William Ridley Purdy
Kenneth Amyot Rae
Laird James Rasmussen
Wesley Brian Rayner
Marc Charles Régnier
Anthony Felix Meredith Reid
Bill Leonard Remus
Donald Keith Robinson
John Michael Robinson
John Murray Michael Roland
Lloyd George Rose
Charles Frederick Mitchell Ross
Robert Cecil Rowe
David Aaron Rubin
John Alick Ryder
William Alexander Salem
Simon Bernard Scott
Donald Edward Seeback
Warren S. R. Seyffert
Edgar Harris Shane
Joel Edward Shaw
Robert Alan Shea
Sheldon Lorne Sherman

Jerome Thomas Shibley
Leonard Elliot Shifrin
Leonard Moses Shore
Sheldon Norman Silverman
David Crawford Smith
Larry Donald Norris Smith
Owen John Raymond Smith
Ralph Paul Gillies Smith
Robert Hundley Smithers
Leon Batsalal Sosna
Howard Edwin Staats
Bernard Starkman
George Radmore Stewart
Nathan Joel Stitt
Jordan Gerard Sullivan
Peter Szkilniak
Donald John Peter Taliano
Francis Gerald Tanner
Vito Walter Targon
John Ivan Tavel
Martin Teplitsky
Michael Gordon Thorley
Edward Alexander Tory
Stanley Richard Turner
Jerome Samuel Ublansky
Walter Warren Viner
Malte von Anrep
Eberhard von Ketelhodt
John Douglas Walden
John Gorman Walsh
Jay Berrell Waterman
John Patrick Watson
Barrie William Edward Webb
Peter Donald Wendling
Henry Lennox Ernest White
Thomas Hugh Wilson
Orlin Currie Wood
Samuel Casey Wood, Jr.
Joseph John Zabek
Eugene Joseph Zaraska
Stanley Rudolph Zupan

The Treasurer then conferred upon the candidates the degree of Barrister-at-law and called them to the Bar of Ontario.

The Treasurer then presented the Treasurer's Medal to—

ROGER DENNIS YACHETTI

and the following prizes:

The Law Society's First Prize
and The Lawyers Club First Prize
ROGER DENNIS YACHETTI

The Law Society's Second Prize
and The Lawyers Club Second Prize
GEORGE BRIAN THOMAS CLEMENTS

The Law Society's Third Prize
SHELDON C. ESBIN

The Criminal Procedure Prize
EUGENE GLEN EWASCHUK

The Commercial Law and Company Law Prize
SHELDON JAY GODFREY

The Reading Law Club Prize, and The Reading Law Club President's Prize

JAMES DOUGLAS SHARPLES

The Honourable Paul J.J. Martin, P.C., Q.C., Secretary of State for External Affairs, addressed the new members of the Bar and their guests.

Following the meeting of Convocation a court room was set up in the O'Keefe Centre with the Honourable G. A. Gale, Chief Justice of the High Court, presiding.

Mr. Terence Sheard, Q.C., presented the candidates to His Lordship.

At the conclusion of the ceremonies the Treasurer and Benchers entertained the new barristers, their families and friends at a reception in the main lounge, lower ground floor, at the O'Keefe Centre.

J. D. Arnup
Treasurer

MEETING OF CONVOCATION

Friday, 15th April 1966,
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Ball, Beaton, Chitty, Clement, Common, Davis, Fennell, Ford, Gray, Harris, Howland, Keith, Levinter, Maloney, G. A. Martin, McCulloch, O'Brien, Pattillo, Pepper, Raney, Robins, Roebuck, Seymour, Sheard, Slemin, Starr, Steele, Strauss, Weir, R. F. Wilson and Wright.

The Minutes of the meetings of Convocation of 18th and 25th March 1966 were read and confirmed.

SPECIAL COMMITTEE ON THE ORGANIZATION OF CONVOCATION AND COMMITTEES

At the meeting of Convocation on the 18th March 1966 Mr. Robins presented the following Report of the Special Committee on the Organization of Convocation and Committees. Because of the importance of the matters dealt with, Convocation directed that copies of the Report be sent to each member of Convocation for consideration at the present meeting.

Your Committee met on the 14th of October 1965 and on the 10th of March 1966, the following members being present: Mr. S. L. Robins, Chairman, and Messrs. W. S. Martin, Steele and Wright.

Your Committee was appointed by Convocation on the 17th day of September 1965 "to consider the constitution, terms of reference and organization of the standing committees and the work of Convocation, and in particular:

1. Whether the Reporting, Library and County Libraries Committees should be merged.
2. The days appointed for meetings of standing committees and of Convocation, and their relation to each other.
3. The method of reporting to Convocation, including the feasibility of reproducing committee reports for all members of Convocation so that such reports need not be read aloud.

4. The order of business in Convocation.
5. Such other changes in present procedures as the committee deems appropriate to improve the efficiency of the work of Convocation and its committees."

After considering the provisions of the Law Society Act, the Rules of the Law Society and the practices which have developed in respect to the organization of Convocation and its Committees, all in the light of the present and anticipated nature and volume of the work of the Law Society, your Committee desires to make the following interim report:

THE TREASURER

1. *Title*

Your Committee considered the question of changing the title "Treasurer" to "President". After a lengthy discussion the Committee was divided and agreed to refer this question to Convocation for decision.

2. *Term*

Your Committee recommends that the Treasurer be elected for a two year term.

VICE-TREASURER

Your Committee recommends the creation of the office of a Vice-Treasurer (or Vice-President as Convocation may decide), to be elected annually.

ADVISORY COMMITTEE

Your Committee recommends the appointment of a Standing Committee to be known as the "Advisory Committee" to advise and assist the Treasurer in the performance of his executive responsibilities, the Committee to consist of the Treasurer, the Vice-Treasurer, the immediate Past Treasurer and the Chairman of the Legal Education Committee, the Finance Committee and the Discipline Committee and one other Bencher to be appointed from time to time in the discretion of the Treasurer, the Vice-Treasurer to be Chairman of the Committee.

MERGER OF COMMITTEE

1. Your Committee recommends that the County Libraries, Library and Reporting Committees be merged into a Committee to be known as "The Library and Reporting Committee".

2. Your Committee considered the merger of the Legal Education Committee and the Admissions Committee and recommends that the merger of these Committees be deferred for the time being and reconsidered after the move of the Osgoode Hall Law School has been completed.

MEMBERSHIP OF NON-BENCHERS ON COMMITTEES

Your Committee recommends the appointment from time to time of members of the Law Society who are not Benchers, to Standing and Special Committees of Convocation, provided that Benchers shall form a majority of each Committee and the Chairman of each Committee shall be a Bencher.

NOMINATING COMMITTEE

Your Committee recommends the appointment by the Treasurer from time to time of a Committee to be known as the "Nominating Committee" to propose to Convocation the nomination of non-benchers to Committees of Convocation and the nomination of members of the Society to fill vacancies in the Bench as they arise, the Committee to have due regard to representation of the profession in and outside Metropolitan Toronto.

MEETINGS OF CONVOCATION

Your Committee recommends that sub-section 2 of Rule 8 of the Society's Rules be amended by deleting therefrom the words "except July, August and December", so that the subsection will read "The standing Convocation days shall be the third Friday in each month".

Your Committee recognizes that its recommendations relating to the Treasurer and membership of non-Benchers on Committees involve amendments to The Law Society Act. The Rules and Legislation Committee has presently under consideration a general revision of the legal Acts and your Committee suggests that these matters, if adopted by Convocation, be referred to that Committee.

Your Committee is not ready to report to Convocation or to make recommendations respecting an annual meeting of the members of the Society and the election of Benchers, which matters were also referred to this Committee. Your Committee asks that it be continued for the purpose of considering these matters and to review the effect of such of its recommendations as Convocation may adopt and make such further recommendations as it may consider advisable.

The Report was considered clause by clause.

With respect to the change of title, "Treasurer" to "President", it was moved and seconded that the question be tabled.
Carried

With respect to the appointment of non-benchers to Standing Committees, it was moved and seconded, that this portion of the Report be tabled. After further discussion an amendment was moved and seconded, that this item be referred back to the Committee. The amendment was carried.

With respect to the paragraph of the Report recommending the appointment of a Nominating Committee to fill vacancies on the bench as they arise, it was moved and seconded that this proposal be rejected. The motion was carried.

It was moved and seconded, that the Report as amended be adopted.
Carried

Convocation directed that the Report as amended be referred to the Legislation and Rules Committee so that the necessary amendments to The Law Society Act can be sought and amendments to the rules be drafted.

ADMISSIONS COMMITTEE—Mr. Sheard.

Your Committee met on Thursday, the 14th day of April, 1966, at 3:30 p.m., the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Mr. P. B. C. Pepper.

CALL TO THE BAR AND CERTIFICATES OF FITNESS

BAR ADMISSION COURSE

The following candidates have successfully completed the Seventh Bar Admission Course, have filed the necessary documents and paid the required fee of $210.00, and now apply for Call to the Bar and to be granted Certificates of Fitness:

Robert Hubbell Barrigar
Rudolph Robert Henauer

Approved

SPECIAL

The following candidate has filed the necessary papers and complied with the requirements of the Admissions Committee in his particular case, now applies for call to the Bar and to be granted a Certificate of Fitness:

Bradley Edward Crawford—Special—Assistant Professor,
Faculty of Law, U. of Toronto.
Fee—$200.00

Approved.

DIRECT TRANSFER

The committee considered two applications to transfer from other provinces to practice in Ontario and made recommendations thereon.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were called to the Bar, and the degree of Barrister-at-Law was conferred upon them by the Treasurer:

Robert Hubbell Barrigar
Rudolf Robert Henauer
Bradley Edward Crawford—Special—Assistant Professor,
Faculty of Law,
University of Toronto.

SPECIAL COMMITTEE ON RETIRED JUDGES RETURNING TO PRACTICE — Mr. O'Brien

Mr. O'Brien was prepared to present to Convocation on the 18th March 1966 the Report of the Special Committee on Retired Judges Returning to Practice, but Convocation directed that a copy be sent to each member of Convocation, and that the Report be dealt with at the present meeting.

The Special Committee consisted of Mr. O'Brien (Chairman), and Messrs. Gray, Sheard, Steele and Wilson, R.F.

The Committee met on the following dates: 17th June 1965, 15th September 1965, 19th January 1966, 4th March 1966, and 16th March 1966.

The Committee was appointed to inquire into the matter of retired Judges returning to practice and subsequently by a resolution of Convocation the matter was enlarged to include the question of retired Magistrates returning to practice. This aspect of the matter is dealt with at the end of the report.

Your Committee has caused inquiries to be made abroad as to the practice obtaining in some of the principal commonwealth countries and in the United States with respect to retired Judges returning to practice. In addition, the Committee has considered the report of the Discipline Committee of the Law Society which was adopted by Convocation in 1905, which dealt, inter alia, with the same problem. The

Committee has also studied and considered the relevant provisions of the various statutes which relate to the matter and such case law as there is. The Committee invited representations from a number of former Judges in this Province and has received both written and oral submissions concerning the matter.

The Report of the Committee of the Law Society dated the 16th of June, 1905, reflected a study of the matter over a two year period. That part of the Report relating to the position of retired Judges contained the following by way of preamble:

> "A barrister upon his elevation to the Bench is withdrawn from the arena of practice and all that is incident to the position of Counsel and the profession. The public look upon the office with esteem and regard its occupants with feelings of respect, and nothing should be permitted whereby a Retired Judge could have the opportunity to be engaged in professional business, the mere fact tending to lower the dignity of the high office formerly held and so react upon the Bench at the time existing—the resumption of practice has a tendency to impair and lower the dignity which should be upheld, as well off, as on the Bench.
>
> Again, it appears to the Committee, that a Retired Judge resuming practice is an act of injustice to the members of the profession—especially is it so in the case of Judges of the County Court where it may readily be supposed that the prestige, experience, influence and social position the Judge has acquired in his County will have weight with the public to his own advantage and to the corresponding disadvantage of other and younger members of the profession."

The Report pointed out that the Society had power to make rules restricting the practice of any barrister who has served as a Judge, but the Committee was prepared to believe that if the return to practice by a retired Judge be condemned by Convocation that this would solve the problem.

After considering the Ontario cases, which dealt indirectly with the position of a Judge who has retired or resigned (MacDonnell vs. Blake (1889), 17 O.R. 12, and Re Law Society [1954] O.R. 349) it was decided by the Committee that it would be desirable to have the opinion of Counsel as to the present legal position of a Judge who has retired or resigned in relation to the Law Society.

It was the opinion of Counsel that while the matter was not free from doubt, that probably a person who was appointed to the Bench did not cease to be a member of the Law Society and that the practice of issuing certificates to such persons upon retirement or resignation was a proper one, though it was pointed out that the statutory provisions in this respect are most unsatisfactory.

The inquiries made abroad, have revealed that in England, Australia and New Zealand, as a general rule, retired Judges do not return to practice. The Secretary of the General Council of the Bar of England and Wales stated that "in practice, if any ex-Judge attempted to return to practice, there would be solid opposition from the Bar and the Bar Council, and I am authorized to say that this opposition would be strongly reinforced by pressure from the Lord Chancellor of the day." He further stated that a retired County Court Judge had recently sought the view of the Council about his returning to practice in a limited capacity, i.e. the giving of advice in Chambers. The Council subsequently expressed and published the following opinion:

> "The Council do not approve as a matter of principle of former County Court Judges returning to practice at the Bar, in any capacity."

The one exception to the general rule in the commonwealth countries was in the case of the late Dr. H. V. Evatt, in Australia, who retired from the Bench in 1940 to enter politics and subsequently appeared both as Attorney General and private practitioner before the High Court of which he had once been a member. This case was considered most unusual and caused unofficial comment from time to time. Apparently there has been no similar case in Australia since 1940.

In the United States it is a common thing for a retired Judge to return to practice and there is apparently no restriction on his field of activity.

The case of Re: Solicitors Act and Sir James O'Connor, 1930, Irish Report, 623, contains an interesting discussion of the question.

Sir James O'Connor had been Lord Justice of the Court of Appeal in Ireland until the office was abolished in 1924. Subsequently he joined the English Bar but owing to illness was compelled to abandon his practice. Having been disbarred at his own request he applied to be readmitted as a solicitor in the Irish Free State. The incorporated Law Society did not oppose the application but the Judge who heard the application, Chief Justice Kennedy, regarded the application as one involving important questions of principle. After reviewing a great many cases in England and Ireland, he points out that there have been no recent cases since the Act of Settlement, 22 Geo. III, Chapter 53, 1782, and he then continues at page 631:

> "Such a long continued abstention almost asserts a common understanding underlying these appointments, that, with security of tenure and fixed and adequate remuneration and pension, the practice of the profession of the law is abandoned for ever by the person appointed.
>
> There is good and powerful reason in support of such a rule, for it is beyond doubt that if a man could step down from the privileged position of the Bench and throw off what is a sacred office to engage in the rough-and-tumble of litigious contest, and compete with the practitioners for the feed business of the Court, perhaps challenge the decisions which he pronounced, or even fail to support them in argument, he will shake the authority of the judicial limb of government and mar the prestige and dignity of the Courts of Justice upon which the whole structure of the State must always lean. Moreover, a new way of scandal and corruption would be opened up to any who would pursue it."

He also said at the same page:

> "If a Judge of a Superior Court, secured as our Judges now are in tenure of office, and provided by the State with salary sufficient to maintain his dignity and independence while in office, and adequate pension after completion of his service therein, should of his own initiative retire and apply directly for admission to the profession of solicitor, I should feel the greatest difficulty in yielding to that application."

He then reviews the facts of the application before him stressing that the retirement had not been voluntary and that five years had elapsed since the applicant had held judicial office. In the special circumstances of the case the application was granted. After pointing out that solicitors have been given a more extensive right of audience than formerly especially in Circuit Courts, he stated:

> "I felt that in the interests of justice Sir James O'Connor should not exercise such personal right of audience in the Courts . . . He would still be regarded as laying down the law with judicial authority, and he would

> tend to overbear inferior Courts, while it would be a scandal were he to explain his own judgments for the purpose of advancing a clients cause. I will therefore ask of him an undertaking that he will not seek personal audience in any of the Courts."

In the annual statement of the general Council of the Bar of England and Wales for the year 1963, at page 28, there is a reference to the case of a former Judge of the Colony of Hong Kong who had applied unsuccessfully to the Supreme Court of the Colony to be admitted to the Bar for the purpose of engaging in a consultant practice only. The former Judge had obtained from the Colonial office a partial exemption from an undertaking which a Colonial Judge is required to give on his appointment that he will not after retirement without the consent of the Secretary of State, practice as a Barrister in any territory in which he has served as a Judge. The Bar Council represented to the Secretary of State, that exemptions from this undertaking ought not to be granted even to the extent of permitting former Judges to carry on an advisory practice.

In the case of Prafulla Ranjan Das vs. Patna, High Court Judges, (1930) 47 T.L.R. 98, the Judicial Committee of the Privy Council dealt with the question of whether a retired Judge of Patna province who sought to resume practice and was placed on the role of Advocate on the basis that he could not appear in the Courts, was in law entitled to appear in the Courts. It was held that as the retired Judge had been enrolled as an Advocate he had a statutory right to appear in the Courts and it was not necessary for the Judicial Committee to decide whether his enrollment was proper. At page 99, Lord Atkin stated, "Their Lordships therefore refrain from expressing any opinion upon the important question as to the propriety of an ex-Judge practising in the courts of the province where he has exercised judicial functions."

The written and oral representations made by former Ontario Judges who had either retired or resigned, were widely divergent ranging all the way from the view on one hand that former Judges ought not to return to practice at all to the view on the other hand that, they should be permitted to do so and be free from any restriction.

A number of different viewpoints that were expressed may be summarized as follows:

1. A Judge who has not served long enough to be entitled to a pension should feel free to resign, if in the interest of

Justice he thinks it desirable, without economic disaster to himself.

2. Legislation to prevent the return to private practice would discourage some of the best men available from accepting a judicial appointment.

3. A retired Judge does not enjoy a privileged position in Court. There is greater danger that a senior Counsel might enjoy an advantage over a junior Counsel yet no one objects to this.

4. Pensions for Judges are inadequate. By comparison retired Senators are paid full salary until they die. We should concentrate our efforts on improving the system of judicial appointments and make the politicians realize that Judges are an important part of the system of Government, and pension benefits should be increased.

5. A Judge's contractual relationship with the Government should not be interfered with.

6. A Counsel who is a friend of a Judge may appear before him and no complaint is made about this.

7. A Judge who would be unduly influenced by the argument of a former colleague ought not to be sitting as a Judge.

8. While generally speaking, a retired Judge would not enjoy any advantage appearing in the Court where he formally presided, yet it is conceded that a retired Senior County Judge might cause unrest in the community by taking cases before the Judge who was formerly Junior Judge under him.

9. Before a Judge is allowed to resign, he must furnish the Government with a good reason for his desire to do so. Where the Government agrees that there is a good reason for resignation, others should not question the bona fides of the resignation.

10. No Judge who was appointed before the Constitutional Amendment of 1960, should be penalized because of his enforced premature retirement. Judges appointed since 1960 are in a different position, they knew the retirement age when the appointment was accepted.

11. There are many examples in Ontario and the other provinces of Judges who have resigned or retired and who have returned to practice, and there has been no widespread criticism either in the press or otherwise, and there is really no problem. In the circumstances the Law Society ought not to disturb the present situation.

12. Many of the Judges who have already retired or who will soon retire would not have accepted an appointment to

the Bench, if at the time of appointment it had been made clear that the person involved could not return to private practice on retirement.

13. The English situation ought not to be taken as a guide since Judges there are appointed for life and often serve on the Bench into their eighties or until disabled by ill health and therefore there is no inclination to return to private practice.

14. There is really no problem since when Counsel presents an argument in Court he does not present his own views and it should make no difference that he was once a Judge.

15. A Judge who has a former Judge appearing before him as Counsel finds himself in an embarrassing position.

16. It is undesirable for a retired Judge to engage in practice as either a Barrister or Solicitor with the possible sole exception of the case of resignation for good reason after being a very short time on the Bench, but then he should practice as a Solicitor only.

17. The situation ought never be permitted to arise where an Advocate may rely upon his own judgment in an earlier case or where he is called upon to interpret his own judgment.

18. The situation is aggravated where the former Judge who now appears as Counsel is appearing before a Judge of an inferior Court.

19. Litigants are bound to feel that one who had a very considerable experience with those of the Bench will be in a preferred position when he appears as Advocate before his former associates.

20. If a Litigant loses a case in which the opposing Counsel was formerly a Judge he may have misgivings as to the impartiality of the decision.

21. A retired Judge ought not to practice as a Solicitor, because when he participates in the early stages of litigation he may have an undue advantage being familiar with the thinking and prejudices of the Judges who are still on the Bench, with whom he formerly associated.

22. There is plenty of other work for retired Judges who are anxious to carry on with some form of employment, such as, arbitration, conciliation work, etc.

23. A substantial pension is now paid.

24. It is distasteful to read in the press that a former Judge appeared in such and such a case. This tends to demean the prestige of the Bench.

The pensions now provided are equivalent to two-thirds of the salary connected with the judicial office and are payable to all Judges who have served for fifteen years, or for ten years if he attains the age of seventy-five after serving ten years on the Bench. The Act also provides certain lesser pension benefits for a Judge's widow.

A Judge who resigns is entitled to his pension if he has served for at least fifteen years and in the opinion of the Governor in Council, the resignation is conducive to the better administration of Justice or is in the national interest. (See Judges Act, R.S.C. 1952, Chapter 159 and amendments).

Until fairly recent times there were comparatively few retired Judges who had returned to active practice, and the need for a professional conduct rule of the kind mentioned in the 1905 Report was not urgent. Considering the increase in the number of Judges in Ontario in recent years, and the compulsory retirement at age seventy-five, it becomes apparent that the number of retired Judges will be substantially increased in the next few years, and in the circumstances the Committee is of the opinion that the time for making such a ruling has come.

The Committee has given careful consideration to all the aspects of the problem and to the representations that have been made.

The Committee did not feel that former Judges ought to be prevented from returning to practice, but is of the opinion that in the interests of justice generally, a rule of professional conduct should be made to the following effect:

> "No Judge of the Supreme Court of Canada, the Exchequer Court of Canada, the Supreme Court of Ontario or of a County or District Court who hereafter retires or resigns and returns to practice, shall appear as counsel or advocate in any court or in chambers or before any administrative board or tribunal."

With respect to retired Magistrates the Committee invited representations from a number of retired Magistrates and heard a delegation from the Magistrates Association.

Quite apart from the essential differences between the functions of a Judge and Magistrate, there are a number of distinctive differences relating to the matters under investigation.

Magistrates are not all lawyers. Of the total number of approximately 100 Magistrates in the Province about 80% are lawyers, most of whom have maintained their membership in the Law Society while serving as Magistrates.

A small percentage of the total serve as Magistrates on a part time basis only.

There have been very few cases in the last few years where Magistrates have retired or resigned and have then returned to the active practice of law. Some of those who have, have refrained from appearing in the courts where they once presided as a matter of choice. Others have appeared to a limited extent.

Magistrates do not have the same security of tenure that Judges have. Their pay is substantially lower, and their pension rights are lower still, on a proportionate basis. While a Judge during his years on the bench had the opportunity to keep abreast of all aspects of the law, the Magistrate's work is confined to certain narrow limits of the criminal and quasi-criminal law. If a retired Magistrate should feel it necessary to return to the practice of law to make a living, he would find it most difficult to carry on a general practice not connected with the Magistrates Courts.

While few Magistrates have in fact returned to the practice of law and fewer still have practiced in the courts, the members of the Magistrates Association who appeared before the Committee were of the opinion that the right to return to practice on resignation or retirement ought not to be curtailed.

On a consideration of the matter, the Committee was of the opinion that in the case of retired Magistrates there is no present problem that calls for any action by the Society.

Moved and seconded, that the Report be adopted.

CONVOCATION ADJOURNED AT 12:45 P.M.

CONVOCATION RESUMED AT 2:30 P.M.,

a quorum being present.

Moved in amendment and seconded, that the words "Without the express approval of Convocation", be added at the beginning of the rule of professional conduct recommended in the Report, so that the rule would read:

> "Without the express approval of Convocation, no Judge of the Supreme Court of Canada, the Exchequer Court of Canada, the Supreme Court of Ontario or of a County or District Court who hereafter retires or resigns and returns to practice, shall appear as counsel or advocate

in any court or in chambers or before any administrative board or tribunal."

The amendment was carried.

THE REPORT AS AMENDED WAS ADOPTED.

LEGAL EDUCATION COMMITTEE—Mr. Howland.

Your Committee met on Thursday, the 14th day of April, 1966, at 4:00 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, and Messrs. Ball, Keith, Pepper, Sheard, Slemin and Starr.

BAR ADMISSION COURSE

The Committee considered petitions by students of the Bar Admission Course and made recommendations thereon.

OSGOODE HALL LAW SCHOOL

FACULTY SALARIES

In a letter to the Chairman of 6th April, 1966, Professor Alan W. Mewett reports that the Faculty wish to draw to the attention of the Committee the recent increases in the salaries structures at other major Ontario Law Schools and to request that in view of the fact it has been the policy of the Society to keep the salaries in Osgoode Hall Law School on a par with those in other law schools, the Committee reconsider the salaries structure at Osgoode Hall Law School.

Your Committee recommends that the matter be referred to the Salaries Sub-Committee of the Legal Education Committee for study and report.

STUDENT LOAN FUND

The Osgoode Hall Law School Loan Committee recommends that a loan be made to a student of the Third Year in the sum of $500.00.

Approved.

LAW SCHOOL TEACHING STAFF—Resignations

Full-time Teaching Staff

Professor Arthur L. Foote submits his resignation from the Osgoode Hall Law School Faculty to be effective June 30th 1966.

Your Committee recommends that the resignation be accepted with regret.

Professor Ian F. G. Baxter submits his resignation from the Faculty of the Osgoode Hall Law School to be effective June 30th 1966.

Your Committee recommends that the resignation be accepted with regret.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. R. F. Wilson.

Your Committee met on Wednesday, the 13th day of April, 1966, the following members being present: Messrs. Sheard (Vice-Chairman, in the Chair), Bruce, Harris, Howland, Keith, Levinter, W. S. Martin, Slemin and Steele.

ACCOUNTS

The Secretary reports that from the 1st March to the 31st March 1966 accounts, including Library Accounts, properly approved, to the amount of $115,819.26 have been paid.

The Secretary also reports that from the 1st March to the 31st March 1966 Legal Aid accounts to the amount of $10,816.26 have been paid. *Noted*

ROLLS AND RECORDS

The Secretary reports—

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

J. D. Scott, Hamilton	Called—11th September 1919; Deceased—23rd January 1966.
Norman L. Spencer, Q.C. Windsor	Called—15th January 1925; Deceased—26th February 1966.
Leo Sylvestre, Belle River	Called—18th September 1930; Deceased—14th March 1966.
L. A. Landriau, Q.C., Toronto	Called—3rd October 1917; Deceased—19th March 1966.
R. W. Gibson, Dryden	Called—26th June 1958; Deceased—26th March 1966.
J. F. Boland, Q.C., Toronto (Honorary Life Member)	Called—25th September 1908; Deceased—8th April 1966.

Noted

RESIGNATIONS

Your Committee, having considered the material filed under the relevant rule, recommends that the resignations of the following members be accepted:

Reuben Cipin, Edmonton, Alberta. Called, 28th June 1956.

Norman Batten McPherson, Q.C., Toronto. Called, 3rd February 1923.

ARREARS OF ANNUAL FEES, 1965-66

On the 16th March 1966 the Secretary presented a list showing 183 members in arrears for barristers and solicitors fees, of whom 63 were in arrears for more than one year, and one for the year 1964-65. Of this number 57 were non-practising members, 32 of whom were in arrears for more than one year.

The Committee recommended that all members in arrears for more than one year be informed that unless their fees were paid forthwith, notice would be served that a resolution for their suspension from practice would be considered at the April Convocation.

Pursuant to the resolution of the Committee, notice was served on 45 barristers and solicitors in arrears for more than one year, of whom 23 were non-practising members.

STAFF CHANGES—*Maintenance Staff*

Tom Stoikos was engaged as of the 7th March, 1966.

Approved

Mr. Ronald H. Smith of Whitby, having been given notice under Section 45 of The Law Society Act that Convocation would consider a resolution to suspend him for non-payment of fees, and that he might make representations to Convocation, attended and made representations.

The Treasurer, for personal reasons, vacated the Chair while these representations were made, having asked Mr. Steele to take his place.

Moved and seconded, that consideration of the recommendation that certain members be suspended for non-payment of fees be adjourned to the May meeting. *Carried.*

Mr. O'Brien refrained from voting.

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE—Mr. O'Brien.

RE: HARRY RICHARDS McGLADDERY

At its meeting on the 18th of February 1966, Convocation had before it the petition of Harry Richards McGladdery to be reinstated as a member of the Society. The matter was referred to the Discipline Committee for investigation and report.

Your Committee has reviewed its report to Convocation which led to the petitioner's disbarment in 1953 and considered carefully all of the evidence before it and the submissions made by Mr. A. A. MacDonald, Q.C., the petitioner's counsel, and recommends that, upon the petitioner undertaking never to practise alone, he be reinstated.

THE REPORT WAS ADOPTED.

RE: JAMES RONALD DENNY—Toronto

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he, on or about the 15th June 1965 received in trust for clients the sum of $3,139.00 more or less and misappropriated $2,550.00 or more of it; between the 30th December 1965 and the 8th February 1966 misappropriated from a trust bank account of his practice moneys held in trust for clients totalling $5,902.50 more or less; in February 1966 failed to maintain sufficient money in his trust bank accounts to satisfy his indebtedness to clients as required by Rule 6 of the Rules Respecting Accounts; and recommended that he be disbarred and that his name be struck from the rolls of the Society.

It was moved and seconded that the Report be adopted.

The solicitor attended with his counsel, Mr. A. A. Macdonald, Q.C. Mr. Macdonald addressed Convocation.

After considering the Committee's Report and the submissions made on the solicitor's behalf, Convocation adopted the Report.

IT WAS ACCORDINGLY ORDERED

1. THAT the Report of the Discipline Committee in the matter of JAMES RONALD DENNY, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, CONVOCATION finds the said JAMES RONALD DENNY guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said JAMES RONALD DENNY be disbarred.
4. THAT the said JAMES RONALD DENNY is unworthy to practise as a Solicitor.

RE: PHILIP GERALD DEWAN, Alliston

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that he, on or about the 20th January 1966 having received the sum of $6,981.45, more or less, in trust, failed to deposit same in his trust account, and failed to account for the same; in the months of January and February 1966 caused to be paid out of the trust bank account on behalf of clients sums in excess of the money held for such clients, contrary to Rule 3 of the Rules Respecting Accounts; on or about the 22nd November 1965 received in trust for a client the sum of $5,000.00, more or less, and thereafter borrowed from such client all or some of the said sum without his client's interests being fully protected; between the 3rd May 1965 and the 24th February 1966, and particularly on the 17th December 1965, misappropriated from the trust bank account of his practice monies held in trust for clients; and failed to maintain the books and records as required by Rules 7 and 8 of the Rules Respecting Accounts; and recommended that he be disbarred and that his name be struck from the rolls of the Society.

It was moved and seconded that the Report be adopted.

The solicitor attended with his counsel, Mr. O'Driscoll, who addressed Convocation.

The motion was carried.

IT WAS ACCORDINGLY ORDERED—

1. THAT the Report of the Discipline Committee in the matter of PHILIP GERALD DEWAN, Barrister, a member of this Society and a Solicitor of The Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said PHILIP GERALD DEWAN guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said PHILIP GERALD DEWAN be disbarred.
4. THAT the said PHILIP GERALD DEWAN is unworthy to practise as a Solicitor.

COUNTY LIBRARIES COMMITTEE—Mr. Ball.

Your Committee met on the 15th day of April, 1966, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Clement, W. S. Martin, Raney, Slemin, Steele, Strauss and Weir.

ANNUAL GRANTS

Your Committee reports specially that the following law associations have failed to file their annual reports by the 31st day of January, have now filed their annual returns for the year 1965 in accordance with Rule 104(2) and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to them as follows:

Essex	$1,850.00
Haldimand	600.00
Norfolk	600.00
Prescott and Russell	600.00
Renfrew (1965)	730.00
Sault Ste. Marie	1,225.00

Your Committee further reports that the annual grant for Renfrew listed above is for the year 1965, and that, inadvertently, this was not brought to its notice during that year.

COUNTY OF YORK LAW ASSOCIATION

Your Committee reports that in its Report to Convocation of May 21, 1965, it was not made clear that the annual grant to the County of York Law Association by the Law Society was to have been increased from $2,500.00 to $3,500.00. The annual grant for this Association having therefore been made in the amount of $2,500.00 as recommended in February, 1966, your Committee recommends that a special grant of $1,000.00 be made forthwith in accordance with the minutes of the

County Libraries Committee of May 21, 1965 and that Rule 102(3) be amended to read:

> "Subject to the provisions of Rule 105, the total amount paid to the County of York Law Association in any year shall not exceed $3,500.00."

THE REPORT WAS ADOPTED.

CORRESPONDENCE

The Treasurer referred to a letter from Mr. Alastair Paterson, Q.C. enclosing a Petition for Reinstatement of Victor Alksnis.

It was directed that the matter be referred to the Discipline Committee for investigation and report.

LEGISLATION & RULES COMMITTEE—Mr. R. F. Wilson

Your Committee met on Wednesday the 6th of April 1966 at 10:30 in the morning, the following members being present: Mr. R. F. Wilson (Chairman), and Messrs. Common, Pattillo and Williston. Mr. Howland attended at the Chairman's invitation.

Your Committee had before it a draft brief proposed by the Steering Committee on Negotiation Rights for Professional Staffs, including a draft Bill entitled "The Professional Negotiations Act".

Your Committee, having considered the Steering Committee's proposed Bill, recommends that the Society write to the Honourable John P. Robarts to whom the Steering Committee addressed itself, to advise that Convocation is of the opinion that, if the proposed Bill or any similar legislation is enacted, it is requested that a provision be incorporated specifically excluding the legal profession from its application.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 13th day of April, 1966, the following members being present: Messrs Steele (Chairman), W. S. Martin (Vice-Chairman), Bruce, Common, Harris, Keith, Levinter, Slemin and Strauss.

American Arbitration Association

Your Committee recommends that the Law Society, through the Great Library, become a member of the American Arbitration Association at a special library rate of $50.00 per annum, in order to benefit through receipt of its many publications in the important field of commercial arbitration.

American Association of Law Libraries

The annual meeting of the American Association of Law Libraries will take place in Los Angeles from July 3 to 7, 1966. Your Committee recommends that the Chief Librarian attend this meeting.

Your Committee further recommends that Mr. Johnston, the former Chief Librarian, who has worked full time during the past year in the Great Library and who will be made a life member of the above association this year, be authorized to attend the meeting.

THE REPORT WAS ADOPTED.

It was directed that consideration of the Reports of the following Committees stand to the May Convocation:

Professional Conduct Committee
Ontario Interprofessional Liaison Committee.

MOTIONS

It was moved by Mr. Starr, seconded by Mr. Ford —

THAT the Legal Education Committee is hereby authorized in co-operation with the recognized Law Schools in Ontario and the Director of Bar Admissions, to create and design a course of study which shall not be optional, for the full three years in the recognized Law Schools, and in the Bar Admission Course, to persuade the students, in so far as it may be possible, to enter upon their profession with pride in it and in themselves, and with dignity and integrity.

AND that such course of study be undertaken by the profession with no remuneration.

AND that the attainment of a passing grade in such course of study be a condition precedent for admission to the practise of law in Ontario.

Moved in amendment by Mr. Robins, seconded by Mr. Sheard, that the matter be referred to the Legal Education Committee.

The amendment was carried.

Moved by Mr. Starr, seconded by Mr. O'Brien —

THAT the Discipline Committee is hereby authorized to undertake an extensive and thorough investigation personally with representative firms or individuals in the profession throughout the Province to determine a method best suited to put an end to, in so far as it may be possible, the improper use of money and securities which do not belong to solicitors.

Mr. Starr agreed to substitute the word "directly" for the word "personally" in the above motion so that it will now read:

> "The Discipline Committee is hereby authorized to undertake an extensive and thorough investigation directly with representative firms . . ."

The motion as amended was carried.

Moved by Mr. Starr, seconded by Mr. O'Brien,

THAT the Treasurer appoint a Committee of two to interview the Prime Minister and the Minister of Justice, and such other persons as may be advisable, to develop a method for the appointment of Judges of the Supreme and County Courts, designed to ensure the best appointments to the Bench free of political considerations.

After discussion the motion was defeated.

It was moved and seconded that the gratitude of the Bench to the Treasurer, Mr. John D. Arnup, Q.C., be recorded for his outstanding service to the Law Society and for his constructive leadership to the profession.

Carried unanimously.

"J. D. ARNUP"
Treasurer

SPECIAL MEETING OF CONVOCATION

TUESDAY, 26TH APRIL 1966
10 A.M.

PRESENT:

The Treasurer and Messrs. Beaton, Common, Gray, Howland, Jamieson, Maloney, G. A. Martin, McCulloch, McLaughlin, O'Brien, Pattillo, Pepper, Robins, Sedgwick, Seymour, Sheard, Slemin, Strauss, Williston and P. D. Wilson.

ELECTION OF BENCHERS, 1966

The Deputy Secretary laid before Convocation his declaration made pursuant to Section 23 of The Law Society Act, of the result of the election of Benchers held in the year 1966, as certified by the Scrutineers, as follows:

THE LAW SOCIETY OF UPPER CANADA
ELECTION OF BENCHERS 1966

I, KENNETH JARVIS, Deputy Secretary of The Law Society of Upper Canada, DO HEREBY DECLARE, in pursuance of Section 23 of The Law Society Act, the result of the Election of Benchers held in the year 1966, as certified by the Scrutineers, as follows:

The following thirty gentlemen were elected as Benchers for the ensuing term of five years namely:

1. Martin, Goldwin Arthur, Q.C.
2. Howland, William Goldwin Carrington, Q.C.
3. O'Brien, Brendan, Q.C.
4. Maloney, Arthur Edward Martin, Q.C.
5. Dubin, Charles Leonard, Q.C.
6. Robins, Sydney Lewis, Q.C.
7. Fennell, Stanley Elmer, Q.C.
8. Williston, Walter Bernard, Q.C.
9. Levinter, Isadore, Q.C.
10. Martin, Wilfrid Sarsfield, Q.C.
11. Sheard, Terence, Q.C.
12. Gray, Wesley Gibson, Q.C.
13. Ball, Leslie MacDonald, Q.C.
14. Bowlby, John Douglas, Q.C.
15. Slemin, John Austin Dufferin, Q.C.
16. Cudney, Robert James, Q.C.
17. Strauss, Nathan, Q.C.
18. Thom, Stuart Douglas, Q.C.
19. Beament, George Edwin, Q.C.
20. Creighton, Thomas Kelso, Q.C.
21. Callon, Thomas Peter, Q.C.
22. Wilson, Roland Frederick, Q.C.
23. Cass, Ronald William, Q.C.
24. Chappell, Hyliard Garfield, Q.C.
25. Bull, Henry Herbert, Q.C.
26. Ford, Gordon Winfield, Q.C.
27. MacKinnon, Bert James, Q.C.
28. Harris, Herbert Egerton, Q.C.
29. Steele, Ralph Douglas, Q.C.
30. Goodman, Edwin Alan, Q.C.

In WITNESS WHEREOF I have hereunto set my hand this 25th day of April in the year of our Lord 1966.

"Kenneth Jarvis"
Kenneth Jarvis,
Deputy Secretary

The Treasurer presented the Certificate of himself and the Scrutineers, John Berton Keyser and Joseph Lawrence Pilon, as follows:

THE LAW SOCIETY OF UPPER CANADA
ELECTION OF BENCHERS 1966

WE, John Douglas Arnup, of the City of Toronto, one of Her Majesty's Counsel, Treasurer of The Law Society of Upper Canada; James Murdock DaCosta, of the said City of Toronto, Barrister-at-law, (appointed by Convocation to assist the Treasurer and act for him in his absence in counting the votes) and John Berton Keyser and Joseph Lawrence Pilon both of the same place, Barristers-at-law, appointed by the Benchers under Section 7 of The Law Society Act, to Act as Scrutineers at the election of Benchers 1966, DO HEREBY CERTIFY:

1. THAT in pursuance of Section 16 of the said Act, beginning on Thursday, the 14th day of April, 1966, we proceeded to scrutinize the voting papers opened by the Secretary in our presence and to count the votes.

2. THAT we have completed the scrutiny and the counting of votes and have kept a record thereof in books provided by the Society in pursuance of the said Act.

3. THAT the following list contains the names and addresses of all candidates at the said election with the number of votes received by them set opposite their names respectively, in the order of the number of votes received by each candidate beginning with the name of the candidate who received the highest number:

	Names	*Address*	*Votes received*
1.	Martin, Goldwin Arthur, Q.C.	Toronto	3099
2.	Howland, William Goldwin Carrington, Q.C.	Toronto	2327
3.	O'Brien, Brendan, Q.C.	Toronto	2200
4.	Maloney, Arthur Edward Martin, Q.C.	Toronto	2119
5.	Dubin, Charles Leonard, Q.C.	Toronto	2103
6.	Robins, Sydney Lewis, Q.C.	Toronto	1836
7.	Fennell, Stanley Elmer, Q.C.	Cornwall	1812
8.	Williston, Walter Bernard, Q.C.	Toronto	1722
9.	Levinter, Isadore, Q.C.	Toronto	1712
10.	Martin, Wilfrid Sarsfield, Q.C.	Niagara Falls	1678
11.	Sheard, Terence, Q.C.	Toronto	1573
12.	Gray, Wesley Gibson, Q.C.	Toronto	1461
13.	Ball, Leslie MacDonald, Q.C.	Woodstock	1432
14.	Bowlby, John Douglas, Q.C.	Hamilton	1426
15.	Slemin, John Austin Dufferin, Q.C.	Brantford	1424
16.	Cudney, Robert James, Q.C.	Toronto	1417
17.	Strauss, Nathan, Q.C.	Toronto	1402
18.	Thom, Stuart Douglas, Q.C.	Toronto	1348
19.	Beament, George Edwin, Q.C.	Ottawa	1322
20.	Creighton, Thomas Kelso, Q.C.	Oshawa	1291
21.	Callon, Thomas Peter, Q.C.	Port Arthur	1279
22.	Wilson, Roland Frederick, Q.C.	Toronto	1275
23.	Cass, Ronald William, Q.C.	Belleville	1263
24.	Chappell, Hyliard Garfield, Q.C.	Toronto	1235
25.	Bull, Henry Herbert, Q.C.	Toronto	1231
26.	Ford. Gordon Winfield, Q.C.	Toronto	1221
27.	MacKinnon, Bert James, Q.C.	Toronto	1203
28.	Harris, Herbert Egerton, Q.C.	St. Catharines	1188
29.	Steele, Ralph Douglas, Q.C.	Chatham	1171
30.	Goodman, Edwin Alan, Q.C.	Toronto	1168
31.	Henderson, Gordon Fripp, Q.C.	Ottawa	1164
32.	(Evans, Francis John Lewis, Q.C.	Hamilton	1120
	(Pattillo, Arthur Sydney, Q.C.	Toronto	1120
34.	Harris, The Hon. Walter Edward, Q.C.	Markdale	1110
35.	Pepper, Phillip Barry Chaytor, Q.C.	Toronto	1106
36.	Starr, Russell Nelles, Q.C.	Toronto	1064
37.	O'Driscoll, John Gerald Joseph	Toronto	1051
38.	Keith, Donald Allayne, Q.C.	Toronto	1039
39.	Estey, Willard Zebedee, Q.C.	Toronto	1035
40.	Honsberger, John David	Toronto	1032
41.	Lochead, George Herbert, Q.C.	Kitchener	1029
42.	Finlayson, George Duncan, Q.C.	Toronto	1000
43.	Wright, Ernest Joel Robert, Q.C.	London	970
44.	Sopha, Elmer Walter, Q.C.	Sudbury	948

	Names	*Address*	*Votes received*
45.	Wallace, George Ernest, Q.C.	North Bay	911
46.	Findlay, Allan, Q.C.	Toronto	883
47.	McPherson, Leon Zenous, Q.C.	Windsor	848
48.	Isbister, Philip Douglas, Q.C.	Toronto	841
49.	Bruce, Maxwell, Q.C.	Toronto	817
50.	Hume, Frederick Robert, Q.C.	Toronto	812
51.	Cornish, Francis Joseph, Q.C.	Toronto	807
52.	Fitzgerald, Patrick Stanley, Q.C.	Sault Ste Marie	805
53.	Grant, William Carroll	Peterborough	802
54.	Hickey, Jack Mace, Q.C.	Kingston	790
55.	Lerner, Mayer, Q.C.	London	785
56.	Caldbick, Samuel Anderson, Q.C.	Timmins	755
57.	McCart, John Francis Michael	Sarnia	753
58.	Pallett, John Cameron, Q.C.	Port Credit	744
59.	Anderson, William Joseph, Q.C.	Toronto	733
60.	Grant, Roy McPherson, Q.C.	Mount Forest	701
61.	Soward, Reginald Harvey, Q.C.	Toronto	690
62.	Rowe, Osmond Jennings, Q.C.	Barrie	631
63.	Band, Philip Ephraim	Toronto	624
64.	Walsh, George Tucker, Q.C.	Toronto	617
65.	Pepper, Elliott Raphael, Q.C.	Toronto	574
66.	Hyndman, Margaret Paton, Q.C.	Toronto	573
67.	Thomson, Berence James, Q.C.	Toronto	554
68.	Perry, Lloyd William Thomas, Q.C.	Toronto	512
69.	Biggs, Stanley Champion, Q.C.	Toronto	487
70.	Bailey, William Henry Currie	Aurora	456
71.	Hollingworth, Allan Henry, Q.C.	Toronto	450
72.	McBride, Stewart Morrison, Q.C.	Toronto	420
73.	Haffey, Matthew Joseph, Q.C.	Toronto	395
74.	French, Stephen Charles, Q.C.	Toronto	390
75.	McLennan, Grant Ramage	Perth	346
76.	Jennings, Robert Douglas, Q.C.	Toronto	319
77.	Siegal, Harold Hymen, Q.C.	Toronto	306
78.	Opper, Charles Philip, Q.C.	Toronto	234
79.	Grass, William Hamilton, Q.C.	Toronto	232
80.	Dyment, Alexander Daniel, Q.C.	Toronto	228
81.	Deakon, Walter Cyril	Toronto	198
82.	Henry, Edwin Mackie	Toronto	187
83.	Murphy, Harold Joseph, Q.C.	Toronto	172
84.	McDonald, John Graham, Q.C.	Toronto	165
85.	Isaac, Elmer Joseph, Q.C.	Toronto	154
86.	Robertson, Douglas Keith, Q.C.	Toronto	147
87.	Breglia, Alfred Frankin	Toronto	137
88.	Macdonald, Gordon Samuel, Q.C.	Toronto	120
89.	Rich, Byron Wesley, Q.C.	Toronto	83
90.	Mulholland, Joseph Nelson, Q.C.	Toronto	47

4. WE HEREBY FURTHER CERTIFY that the following gentlemen, being the thirty persons having the highest number of votes, have been elected as Benchers for the ensuing terms of five years, namely:

Names	*Address*
1. Martin, Goldwin Arthur, Q.C.	Toronto
2. Howland, William Goldwin Carrington, Q.C.	Toronto
3. O'Brien, Brendan, Q.C.	Toronto
4. Maloney, Arthur Edward Martin, Q.C.	Toronto
5. Dubin, Charles Leonard, Q.C.	Toronto
6. Robins, Sydney Lewis, Q.C.	Toronto
7. Fennell, Stanley Elmer, Q.C.	Cornwall
8. Williston, Walter Bernard, Q.C.	Toronto
9. Levinter, Isadore, Q.C.	Toronto
10. Martin, Wilfrid Sarsfield, Q.C.	Niagara Falls
11. Sheard, Terence, Q.C.	Toronto
12. Gray, Wesley Gibson, Q.C.	Toronto
13. Ball, Leslie MacDonald, Q.C.	Woodstock
14. Bowlby, John Douglas, Q.C.	Hamilton
15. Slemin, John Austin Dufferin, Q.C	Brantford
16. Cudney, Robert James, Q.C.	Toronto
17. Strauss, Nathan, Q.C.	Toronto
18. Thom, Stuart Douglas, Q.C.	Toronto
19. Beament, George Edwin, Q.C.	Ottawa
20. Creighton, Thomas Kelso, Q.C.	Oshawa
21. Callon, Thomas Peter, Q.C.	Port Arthur
22. Wilson, Roland Frederick, Q.C.	Toronto
23. Cass, Ronald William, Q.C.	Belleville
24. Chappell, Hyliard Garfield, Q.C.	Toronto
25. Bull, Henry Herbert, Q.C.	Toronto
26. Ford, Gordon Winfield, Q.C.	Toronto
27. MacKinnon, Bert James, Q.C.	Toronto
28. Harris, Herbert Egerton, Q.C.	St. Catharines
29. Steele, Ralph Douglas, Q.C.	Chatham
30. Goodman, Edwin Alan, Q.C.	Toronto

IN WITNESS WHEREOF we have hereunto set our hands this 25th day of April in the year of our Lord 1966.

"J. D. Arnup"
Treasurer
"James Murdock DaCosta"
Assistant to the Treasurer
"John Berton Keyser"
"Joseph Lawrence Pilon"
Scrutineers

THE PROPERTY OF
THE LAW SOCIETY

The Deputy Secretary presented a further Report as follows:

ELECTION OF BENCHERS 1966

The Deputy Secretary, in addition to his formal declaration, reports for the information of Convocation as follows:

On the 31st January, 1966, when the list of those entitled to vote was made out and signed there were 5,926 Barristers and Solicitors on the current Rolls of the Society.

The Voters' List as made out on the 31st of January, 1966, and as fixed on the 7th of March, 1966, contained the names of 5,655 entitled to vote.

4,161 envelopes marked "Voting Paper" were received. Of this number 137 were received after the 13th of April, 1966, including 2 as late as the 25th of April, and were not opened or counted. One Voting Paper was unsigned and was rejected by the Scrutineers. Four Voting Papers were signed but not filled in and had a list of candidates attached with names ticked; these were also rejected. Three were received from members not on the Voters' List. One Voting Paper was received with the signature illegible and no name written at the top and was rejected.

4,047 Voting Papers were counted by the two Scrutineers, the Treasurer's representative, the Scretary, the Deputy Secretary and the Assistant Secretary. The counting and compilation of the votes was completed in 43 hours, over a period of 7½ days.

25th April, 1966.

"Kenneth Jarvis"
Kenneth Jarvis,
Deputy Secretary.

J. D. ARNUP,
Treasurer.

MEETING OF CONVOCATION

Friday, 20th May 1966
10:30 a.m.

PRESENT:

Messrs. Ball, Beament, Beaton, Bowlby, Bull, Callon, Cass, Chappell, Chitty, Clement, Common, Creighton, Cudney, Dubin, Fennell, Goodman, Gregory, Harris, Howland, Levinter, Maloney, G. A. Martin, MacKinnon, McLaughlin, O'Brien, Raney, Robins, Seymour, Sheard, Steele, Strauss, Thom, Weir, Williston, and R. F. Wilson.

Mr. R. F. Wilson, Q.C., was elected Chairman.

ELECTION OF TREASURER

Mr. Brendan O'Brien, Q.C. was elected Treasurer for the ensuing year.

Mr. O'Brien then took the Chair and thanked the Benchers for the confidence that they had displayed in electing him as Treasurer. He remarked that the Treasurer bears a heavy responsibility, that he follows one of the great Treasurers of the Society and this does not make his task any easier. To the extent that he succeeds as a Treasurer, his success will be due to the Benchers who assist and support him.

He welcomed to Convocation the ten new Benchers elected at the Benchers' Election in April 1966.

The Minutes of the meeting of Convocation of April 15th and April 26th 1966 were read and confirmed.

UNFINISHED BUSINESS

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell,

Your Committee met on Thursday the 7th April, 1966, the following members being present: Mr. Wright, Chairman, Mr. Fennell, Vice-Chairman, and Messrs. Howland, Keith, O'Brien, Slemin and Strauss.

Your Committee considered the following matters:

1. RULING 10 - SIGNS

A firm of solicitors who had been required to bring their signs into conformity with Ruling 10, appealed for permission to use letters which were "slightly under seven inches". Your Committee considered the matter in detail and instructed the Secretary in the particular case to say that the sign must conform with the Ruling.

2. RULING 16 - DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee received correspondence from five members of the Society with regard to new Ruling 16, asking in some cases that exceptions should be made under the power given the committee. Your Committee decided none of the exceptions asked for should be granted but pointed out to two members who wish to publish professional cards in the press giving office hours that they could not do this although they might announce a change of hours as occasion warranted.

3. LETTERHEADS OF PERSONS QUALIFIED IN TWO PROFESSIONS

Your Committee had before it the Report of a Sub-Committee on the question of a member showing on his letterhead that he is both a "Barrister and Solicitor" and a "Chartered Accountant". The Report was considered and your Committee recommends that a solicitor should not indicate on his letterhead that he is practising another profession or calling at the same time although he may include after his name other degrees and professional qualifications. Your Committee recommends that the Institute of Chartered Accountants should be advised accordingly.

4. MISCELLANEOUS

A member asked if it were proper for a lawyer to talk to the client of another member in respect of a contentious matter when such client calls the member. Your Committee instructed the Secretary to write that no member should discuss a matter in contention with another member's client as long as the other member is acting for the client.

THE REPORT WAS ADOPTED

ONTARIO INTERPROFESSIONAL LIAISON COMMITTEE—Mr. Howland

A meeting of the Interprofessional liaison Committee was held on 20th January, 1966 as the guests of the Chartered Accountants of Ontario. Admission from other Provinces and Countries. The Committee noted that the Architects and Engineers do grant temporary licences for a single project. Several but not all of the professions require applicants to be Canadian citizens or British subjects. The Engineers have almost complete reciprocity with other provinces. The Veterinarians have reciprocity with certain countries and are considering reciprocity with the other Canadian provinces.

Chartered Accountants and Architects from other countries who have the requisite qualifications can be admitted without examinations.

COLLECTIVE BARGAINING

The Committee noted that the College of Pharmacy was asking that it be given the same exemption from The Labour Relations Act as is accorded to the medical and legal professions. Since the last meeting the Steering Committee on Negotiation Rights for Professional Staffs has given notice of its intention to submit a brief to Premier Robarts on April 18th, 1966 with a view to the enactment of a draft bill entitled The Professional Negotiations Act. This would provide collective bargaining machinery for the professions. The brief and draft legislation have been considered by the Legislation Committee of the Law Society.

CAREER GUIDANCE

The Committee considered the feasibility of the suggestion by the Department of Education that Career Guidance teachers might spend some weeks at a summer course actually working in industry or in business so that they would gain practical knowledge. It was noted that the Pharmacists and Dentists both hold "open house" annually to familiarize senior high school students with their respective professions.

Your Chairman has attended several meetings held under the auspices of the Board of Trade of Metropolitan Toronto and it is understood that Career Guidance teachers will spend some four weeks this summer with one or more industries or businesses.

THE REPORT WAS RECEIVED

APPOINTMENT OF AUDITORS

Messrs. Clarkson, Gordon & Company were appointed Auditors of the Society for a period of one year from the 1st July 1966.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 19th May, 1966, the following members being present: Mr. W. G. C. Howland, Chairman, and Messrs. Ball, Creighton, Sheard and R. F. Wilson.

BAR ADMISSION COURSE

Your committee considered petitions and applications from those wishing to enter the Bar Admission Course and made recommendations thereon.

A memorandum from Acting Dean Mewett is before the Committee recommending the following:

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

Garry Watson. The Faculty recommends the appointment of Garry Watson as Assistant Professor for the academic year 1966-67.

Approved

Part-time Teaching Staff

E. Patrick Hartt, Q.C. The Faculty recommends the appointment of E. Patrick Hartt, Q.C., as a part-time instructor to give a Seminar in Securities Regulations.

Approved

EXAMINATION RESULTS - SPRING, 1966

Post-Graduate Studies

The Faculty recommends that the degree of LL.M. be awarded to G. S. Sharat Chandra for his thesis entitled "Grievance Procedures and the Right of the Individual Employee to Grieve: The United States, Canada and India".

Approved

ANNUAL MEETING, ASSOCIATION OF CANADIAN LAW TEACHERS, 8th JUNE - 11th JUNE, 1966

The following request permission to attend the Association of Canadian Law Teachers Annual Meeting in Sherbrooke, Quebec, 8th June to 11th June, 1966:

Professor J. T. Blanchard
Professor D. Mendes da Costa
Professor P. C. Weiler
Professor G. E. Parker
Professor H. A. Leal
Professor P. S. A. Lamek
Professor J. G. Castel
Professor D. C. Hefferson
Professor H. A. Arthurs
Professor A. M. Linden
Professor A. W. Mewett
Professor R. J. Gray

The Society is asked to pay their travel expenses in whole or in part.

Approved

APPROVAL OF DEGREES AND COURSES

The Faculty recommends approval of the course leading to the Degree of Bachelor of Architecture, Carnegie Institute of Technology, Pittsburg, Pennsylvania; the course leading to the Degree of Bachelor of Arts, Beloit College, Beloit, Wisconsin; the course leading to the Legal Professional Qualification at the University of New Zealand at Auckland and Wellington; the course leading to the Degree of Bachelor of Arts, Bellarmine College, Louisville, Kentucky, and the Degree of Bachelor of Science, Boston College, Boston, Massachusetts, as meeting the admission requirements of the Law School.

Approved

AFFILIATION WITH YORK UNIVERSITY - REPORT OF PROFESSOR ALBERT M. SACKS

Professor Sacks was retained jointly by the Society and York University as a consultant with respect to the affiliation of Osgoode Hall Law School with York University. He has submitted his report which contains the following basic recommendations:

"*Size of Student Body*

1. York University and Osgoode Hall should plan their new building to accommodate a student body of about 900 to 1,000 students. If at all possible, the building should be so located and built that further expansion of the student body at a future time is not precluded.

2. When Osgoode Hall moves to its new building in 1968, it should begin increasing the size of its entering class from the present 200 to a maximum of about 350. The precise rate of increase must depend upon events, particularly upon the school's success in attracting qualified faculty members.

3. If possible, some mechanism should be established whereby the law schools of Ontario can exchange information and plans concerning future expansion of facilities. How formal such a mechanism should be and what part if any the Provincial Government should play are matters to be determined.

Size of Classes

4. The conclusion of the Osgoode Hall Faculty that optimum class sizes are about 60 for first-year students and about 80 in other required courses is reasonably based and establishes a legitimate goal for expansion.

5. At the same time, a more flexible attitude toward class size is called for when the faculty size is fixed for the time being and a choice has to be made between optimum classes and development of important new curricular offerings or other programs at the School.

6. Flexibility as to size of class is particularly important with respect to elective courses.

7. In the design of classrooms it is best to err on the side of larger size. If eight classrooms are built, four should be about 100-110 in size, one at about 125 and one at 150, and two set at about 75.

The Faculty

8. In order to discharge the responsibilities of a first-class law school, a faculty of between 35 and 45 full-time teachers will be needed.

9. Recruitment of a faculty of the recommended size and of requisite quality will be difficult and will require a special recruitment campaign utilizing new methods and heavily engaging the energy and imagination of the Dean and Faculty.

10. There must under no circumstances be a compromise with quality in expanded recruitment. It would be wiser to bring visitors, to hire emeritus professors, and if need be to teach larger classes.

11. The salary levels for law teachers must be kept competitive with those of other Canadian law schools. Comparison with American salaries, on the other hand, seems of dubious value. Flexibility as to law school salary levels may be needed to attract able personnel from law practice.

The Law Library

12. Osgoode Hall should commit itself to establishing a solid research library and toward this end it should seek to estab-

lish as early as possible a collection of between 100,000 and 150,000 volumes as a foundation for regular growth.

13. If at all possible, the capital funds available to York for a new building should be used in part (perhaps $500,000 or $1,000,000) for acquisition of an initial collection.

14. For building purposes, a long-run view of library development is essential, encompassing at least a quarter of a century. This suggests that plans should assure that space is or can later be made available for about 300,000 volumes.

15. Osgoode Hall should appoint a law librarian at the earliest possible date, so that the many tasks of planning the new library can get under way. Until a regular librarian is found, one or more library consultants should be retained.

Buildings and Building Sites

16. If feasible, the law school should be located reasonably close to the Humanities and Social Sciences Building and to the Faculty of Administrative Studies.

17. If feasible, law students should be housed in a law students' residence which for dining and social purposes is a part of a broader graduate students' complex.

The Instructional Program

18. A thorough appraisal of the curriculum with a view to revision should be undertaken over the next year or two. A principal question is whether greater freedom of election should be afforded to students.

19. Development of a graduate program is a legitimate long-range objective, but should not be undertaken until the school has established a solid undergraduate program.

Research Programs

20. It is undesirable to establish a "Law Center" as a part of the Law School in order to carry on general research activities. Research institutes or centers are better organized as separate institutions. Physical location of such separate institutions near or in a law school building may well be desirable.

21. The Law School should have faculty committees explore the desirability of establishing a program for research leaves and for modest financing of research costs from School funds.

22. It is virtually impossible to estimate at this time how much space should be provided for research purposes. The Faculty recommendation for 15 offices and 6 small seminar-meeting rooms is a reasonable one, provided that such space is so located that it can be utilized for other purposes as well.

Professor Sacks concludes his report as follows:
'I believe that the future of Osgoode Hall at York University is one of great promise. Many American law schools would very much like to grow in size and quality but find that factors beyond their control confine them to a static condition or slow development. The location of Osgoode Hall in the largest metropolitan area of Ontario, the rapidly growing population, the School's affiliation with a university, the decision to construct a new building, the obvious desire of York to develop and support a law school of quality — these factors combine to bring high goals within reach. Osgoode Hall has an exciting opportunity to carry Canadian legal education a giant step forward. Perplexities and frustrations lie ahead, but vigor and imagination in formulating and executing the School's program of development should enable Osgoode Hall and York to realize its potential.' "

Noted

THE REPORT WAS ADOPTED.

Doctor of Laws Honoris Causa

The Treasurer announced that at the Academic Convocation on the 23rd June 1966, the degree of Doctor of Laws honoris causa would be conferred on Professor F. R. Scott of the Faculty of Law, McGill University.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 19th May, 1966, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Mr. R. F. Wilson.

The Committee considered applications from lawyers in Nova Scotia, Alberta, Quebec, England and Ceylon who wished to transfer to practice in Ontario and made recommendations thereon.

Report of The Examining Board

There were 4 candidates who sat for the Special Call Examinations on 10th May, 1966. As a result of both a written and an oral examination the Board has passed all four candidates. Their names are as follows:

Samuel R. Baker
Arthur Norwood Carter
Howard Edward Crosby
Sally Richter

Approved

The Committee considered a petition from a student who was late in filing his application to enter the Bar Admission Course, and recommended that he be admitted after paying the appropriate fine.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on Wednesday, the 18th May 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Sheard (Vice-Chairman), Harris, Howland, Levinter and Steele.

ACCOUNTS

The Secretary reports that from the 1st April to the 30th April 1966 accounts, including Library Accounts, properly approved, to the amount of $48,694.14 have been paid.

The Secretary also reports that from the 1st April to the 30th April 1966 Legal Aid accounts to the amount of $1,263.45 have been paid.

Noted

The Secretary lays before the Committee a statement of receipts and disbursements for the period 1st July 1965 to 30th April 1966.

ROLLS AND RECORDS

The Secretary reports —

(1) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

P. S. R. Malcomson, Q.C., Kincardine	Called — 19th September 1935 Died — 1st April 1966

R. L. Levesque, Elliot Lake	Called — 16th September 1960 Died — 19th April 1966
S. A. Wallace, Q.C., Windsor	Called — 18th March 1926 Died — 1st May 1966
J. F. Coughlin, Q.C., Toronto (Honorary Life Member)	Called — 18th September 1914 Died — 7th May 1966
G. S. Saunderson, Q.C., Toronto	Called — 23rd November 1921 Died — 13th May 1966.

Noted

(2) *Disbarments*

That the following former members of the Law Society have been disbarred and struck off the rolls and their names have been removed from the rolls and records of the Law Society:

P. G. Dewan, Alliston	Called — 29th June 1950 Struck off the Rolls — 15th April 1966.
J. R. Denny, Toronto	Called — 16th January 1947 Struck off the Rolls — 15th April 1966.

Noted

RESIGNATIONS

Your Committee, having considered the material filed under the relevant rule, recommends that the resignations of the following members be accepted:

Alleyne Mortimer S. Duggan, Toronto — Called, 18th May 1922.

Graham T. Evans, Florida — Called, 16th June 1921.

G. J. Young, England (formerly Ottawa) — Called, 18th September 1959.

ARREARS OF ANNUAL FEES, 1965-66

On the 16th March 1966 the Secretary presented a list showing 183 members in arrears for barristers and solicitors fees, of whom 63 were in arrears for more than one year, and one for the year 1964-65. Of this number 57 were non-practising members, 32 of whom were in arrears for more than one year. The Committee recommended that all members in arrears for more than one year be informed that unless their fees were paid forthwith, notice would be served that a resolution for their suspension from practice would be considered at the April Convocation.

Pursuant to the above recommendation, notice was served on 45 barristers and solicitors in arrears for more than one year, of whom 23 were non-practising members.

At its meeting on the 13th April 1966 the Committee recommended that consideration of the resolution for suspension from practice of members in arrears of annual fees stand over to the May meeting of the Committee, and those in arrears were so notified.

Since March 16th —

40 — paid fees and penalties for the current year
17 — paid fees for more than one year
8 — paid fees and penalties for the year 1964-65
2 — resigned
2 — died
1 — disbarred.

The Secretary presented a list of members in arrears for fees for more than one year but who submitted reasons why they should not be suspended; and a further list of those in arrears for more than one year who were liable to suspension.

Your Committee recommended that the cases on the first list stand for further consideration; and that the appropriate action be taken to have those named in the second list suspended from practice for a period of one year.

CHANGE OF NAME

Ian Douglas is entered on the rolls and records of the Law Society as James Ian Douglas. He asks that his name be changed to "Ian Douglas".

Your Committee recommends that the request be granted.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

Contribution — At the Mid-Winter Meeting of the Executive of the Conference of Governing Bodies held at the Seigniory Club, Montebello, on the 27th February 1966, it was resolved that the Conference request for the year 1966 a contribution of $200.00 from the Law Society of Upper Canada.

Your Committee recommends that a grant of $200.00 be made.

FIRE EVACUATION PLAN

Mr. S. W. Greenslade, Fire Prevention Officer, Department of Public Works, presented a plan for fire protection and evacuation for the Government property in Osgoode Hall, and recommends that it be considered for the Law Society building. On March 16, 1966 the Committee recommended that this matter be referred for consideration and report to the Chairman and Mr. Jarvis, the Deputy Secretary, in consultation with Mr. Glen, Superintendent:

The *Sub-Committee on Fire Prevention* begs leave to report:

Your Sub-Committee met at 12:30 on Friday, the 29th of April 1966 to consider the proposal made by the Department of Public Works to have the Law Society's portion of Osgoode Hall included in a plan the Department is making respecting fire prevention procedures, including the erection of signs designating fire exits.

Your Sub-Committee made a thorough inspection of the Society's premises with the superintendent, Mr. John Glen, and noted the precautions which have already been taken and the signs which now designate fire exits. Your Sub-Committee also inspected a portion of the Government's part of the building where signs designating fire exits are lacking. Your Sub-Committee felt that the Society's present signs are adequate and in better taste than the large brightly coloured signs proposed by the Department of Public Works.

Your Sub-Committee recommends that the Society continue its own programme of fire prevention and that its premises not be included in the programme proposed by the Department of Public Works.

Your Committee approves of the recommendation of the Sub-Committee.

LEGAL EDUCATION COMMITTEE

Proposed Alterations in the Law School

On May 11, 1966 Mr. Arthur Heeney Jr. wrote to Mr. W. G. C. Howland, Chairman, Legal Education Committee, with reference to certain proposed changes in the Law School at a total cost of $9,070.

Your Committee recommends that these alterations be approved, subject to the deletion of Item (d) at a cost of $625.00; and subject also to the approval of the Legal Education Committee.

Staff Changes

Maintenance Staff

Anthony Rowe left the employment of the Society as a caretaker on the 6th May 1966.

Approved

THE REPORT WAS ADOPTED.

Arrears of Annual Fees—*Motion to Suspend*

Moved by Mr. R. F. Wilson, seconded by Mr. Sheard, that pursuant to The Law Society Act, R.S.O. 1960, cap. 207, the following Barristers and Solicitors be and they are hereby suspended from practice for a period of one year from this date:

Mrs. Margaret L. G. Abbott	Westmount, P.Q.
W. R. Abbott, Esq.	Westmount, P.Q.
David A. Cheifetz	(Address unknown)
B. W. Doherty, Q.C.	Niagara Falls
David K. Findlay	Ottawa
F. E. L. Fowke	Bridgewater, N.S.
M. F. Gladman	Vancouver, B.C.
Phyllis E. Harron	Hamilton
K. D. A. Morrison	Vancouver, B.C.
A. A. McGrory, Q.C.	Ottawa
Gordon Oliver	Toronto
J. D. Peck, Q.C.	Burlington
Mrs. R. R. Rosenfeld	Israel
J. K. Ross	Toronto
R. H. Smith	Whitby
Harry J. Waldman	Toronto
H. J. Wine	Cote St. Luc, P.Q.

Carried

Discipline Committee

Mr. Levinter reported briefly on the work of the Discipline Committee for the calendar year 1965, informing Convocation of the number of meetings held, the number of complaints considered by the Chairman or Vice-Chairman, and the Secretary or Deputy Secretaries, and the number investigated by the Committee, with the action taken thereon.

THE REPORT WAS RECEIVED

ORDERS

The Deputy Secretary placed before Convocation the following Orders which are entered on the Minutes of Convocation:

IN THE SUPREME COURT OF ONTARIO

IN THE MATTER OF JAMES RONALD DENNY A BARRISTER-AT-LAW AND ONE OF THE SOLICITORS OF THE SUPREME COURT OF ONTARIO AND IN THE MATTER OF THE LAW SOCIETY ACT.

WHEREAS it has been certified by the Deputy Secretary of the Law Society of Upper Canada to the Registrar of the Supreme Court of Ontario that the Benchers of the said Society did on the 15th day of April 1966 disbar the said Barrister-at-law and resolve that he is unworthy to practise as a Solicitor.

THEREFORE this Court doth Order that the said **JAMES RONALD DENNY** be struck off the Roll of Barristers and Solicitors of this Court.

DATED this 15th day of April 1966.

"Gordon F. Beddis"
Registrar
SUPREME COURT OF ONTARIO

RECORDED
—Toronto—
Film 128
Document 502
Date Apr 18 1966
"S.T."

IN THE SUPREME COURT OF ONTARIO

IN THE MATTER OF PHILIP GERALD DEWAN A BARRISTER-AT-LAW AND ONE OF THE SOLICITORS OF THE SUPREME COURT OF ONTARIO AND IN THE MATTER OF THE LAW SOCIETY ACT.

WHEREAS it has been certified by the Deputy Secretary of the Law Society of Upper Canada to the Registrar of the Supreme Court of Ontario that the Benchers of the said

Society did on the 15th day of April 1966 disbar the said Barrister-at-law and resolve that he is unworthy to practise as a Solicitor.

THEREFORE this Court doth Order that the said PHILIP GERALD DEWAN be struck off the Roll of Barristers and Solicitors of this Court.

DATED this 15th day of April 1966.

"Gordon F. Beddis"
Registrar
Supreme Court of Ontario

RECORDED
—Toronto—
Film 128
Document 501
Date Apr 18 1966
"S.T."

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 18th May, 1966, the following members being present: Messrs. Steele (Chairman), Harris, Levinter, Maloney and Strauss.

TIMES

Your Committee reports that having considered the problem of space and the necessity of erecting special additional steel shelves to accommodate the heavy, oversize volumes of the Times newspaper and having taken note that the expensive microfilm edition of annual volumes is available in other Libraries that it has authorized the Chief Librarian to discontinue binding the annual volume but to clip and retain the law reports published therein, duly indexed, in the library for the use of the profession.

XEROX 914

Your Committee recommends that the Chief Librarian be authorized to acquire on a trial basis the coin operated Xerox 914 copy machine for use in the Great Library.

STAFF

Convocation approved in February, 1966, your Committee's recommendation that a suitable cataloguer be engaged to assist in the Great Library. Your Committee now recommends that the appointment of Miss Mary E. Grant, B.C. (U.B.C.) B.L.S. (Tor.), effective May 16, 1966.

Your Committee reports that Miss Wendy E. Swabey, Library Assistant in the Great Library, has been accepted by the University of Toronto Library School and will enroll therein in September, 1966. Your Committee recommends that the Chief Librarian be authorized to engage a suitable replacement some time prior to that date.

Your Committee further reports that Miss Marjorie McLeod, B.A., now employed as secretary in the Student's Library has asked the Chief Librarian for consideration as Miss Swabey's replacement. Your Committee recommends that Miss McLeod be allowed to transfer to the Great Library effective July 1, 1966.

THE REPORT WAS ADOPTED.

REPORTING COMMITTEE—Mr. Maloney

Your Committee met on Wednesday, the 18th May 1966, the following members being present: Mr. Arthur Maloney, Vice-Chairman (in the Chair), and Messrs. Harris, Levinter, O'Brien and Strauss.

Ontario Reports

The Chairman received correspondence from Mr. W.B. Cartwright, Canada Law Book Company, with respect to an increase in the number of pages printed in the Ontario Reports.

The publisher estimates that Canada Law Book Company will publish something between 2200 and 2300 pages for the year 1966. Mr. Cartwright stated (in part):

> "As this would mean two volumes of almost 1200 pages each by the time you add in the index and table of cases and as volumes of this size would be not only awkward to bind but most awkward to handle and read we have decided to close off the first volume for the year at the end of April at approximately 800 pages and then subject to your instructions divide the balance of the year into two approximately equal volumes to be numbered 2 and 3 of between 700 and 800 pages, or the alternative would be if we were to receive instructions from you to curtail the number of cases to be published and endeavour to publish a second volume of less than 1000 pages."

The Secretary was instructed to inform the publisher that the Committee is of the opinion that since in past years, as many as 1400 pages have been bound in one volume, that the Ontario Reports should continue to be published in two volumes.

The Secretary was also instructed to inform the publisher that he is *not* to curtail the number of cases published.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Weir

Your Committee met on Friday, the 20th May 1966, the following members being present: Mr. S. E. Weir, Vice-Chairman (in the Chair) and Messrs. Ball, Beament, Clement, Creighton, Fennell, Levinter, Raney, Steele, Strauss, and Williston.

TRUST COMPANIES—*Report of the Sub-Committee*

A Notice to the Profession was published in the February 4th edition of the Ontario Reports, informing the profession that a Sub-Committee of the Unauthorized Practice Committee had been appointed to investigate the problem of trust companies, chartered accountants, and life insurance companies, advising and assisting in legal matters, drafting legal documents, and interpreting case law with respect to income tax, succession duties, and estate tax, and appearing as advocates in such matters.

On Wednesday, April 13th, Mr. T. Douglas Kent, Legal Assistant to the Canadian Life Insurance Association, attended at the Secretary's office with Mr. E.H. McVitty, Legal Officer for the Manufacturers Life Insurance Company, with respect to the aforementioned Notice to the Profession.

Mr. Kent informed the Secretary that the Canadian Life Insurance Association was interested in learning what problems exist with respect to life insurance companies advising and assisting in legal matters and drawing legal documents.

At the request of the Chairman of the Sub-Committee on Trust Companies, a meeting was held with the senior officers of the Canadian Life Insurance Association on Wednesday, May 18th, and a full discussion took place with respect to the problems existing between life insurance companies and the legal profession.

The topics discussed dealt with insurance agents drafting wills, drawing and advising in such matters as buy and sell agreements, partnership agreements, settlement of life insurance policies, and acting as estate planning consultants.

The representatives from Canadian Life Assurance Association informed the Sub-Committee that it was their wish that the Association work in co-operation with the Law Society. They stated that insurance agents should suggest to customers that they see a lawyer and obtain legal advice if the sale of an insurance policy involved legal problems.

The Committee recommended, and the officers of the Canadian Life Insurance Association agreed, that the Association would send out directives to all insurance agents and insurance companies, setting out, among other items, the following principles:

1. Insurance company agents should not draw legal documents.
2. Insurance companies should not make available to their agents legal forms that could be used as legal documents by the agents.

The Association undertook to send copies of the directives to the Secretary of the Law Society.

The Sub-Committee agreed to forward to the Secretary of the Canadian Life Insurance Association, any complaints which came to the Law Society's attention concerning the conduct of insurance agents.

CHARTERED ACCOUNTANTS - *Report of the Sub-Committee*

At the March meeting, the Committee reviewed correspondence from the Registrar of the Institute of Chartered Accountants with respect to the Notice to the Profession published in the Ontario Reports concerning the problem of chartered accountants interpreting case law with respect to income tax, succession duty and estate tax, and appearing as advocates in such matters.

The Secretary was instructed to draft a letter to the Registrar of the Institute of Chartered Accountants, subject to the approval of the Sub-Committee, informing the Registrar that the Unauthorized Practice Committee disapproves of accountants appearing as advocates before Tax Appeal Boards and other adminstrative tribunals. The Sub-Committee approved the letter as drafted, and the Secretary forwarded the letter to the Registrar on April 18th.

The Registrar wrote the Secretary, and the Secretary discussed the matter with the Treasurer.

The Sub-Committee again reviewed the matter at its meeting on May 18th. Mr. W. G. C. Howland, Q.C., Chairman of the Interprofessional Liaison Committee was invited to attend the meeting.

The Committee recommended that Mr. Howland be asked to inform the members of the Chartered Accountants Institute that the Law Society of Upper Canada is concerned with accountants appearing as advocates. Accountants who act as advocates appear as both witness and counsel in the same action. Lawyers are forbidden to do this and it appears unethical that accountants should do so. Mr. Howland agreed to communicate with the Institute.

Your Committee accepts the Report of the Sub-Committee on Trust Companies, and recommends that the Sub-Committee report to the full Committee in six months time with respect to the operation of the agreement reached between the Society and the Canadian Life Insurance Association.

INSTANT SELF INCORPORATION SERVICE LIMITED APPLICATION FOR EXTRA-PROVINCIAL LICENCE

At its April meeting, the Committee reviewed correspondence from Mr. J. S. Yoerger, Deputy Provincial Secretary, with respect to an application from a Saskatchewan corporation for an extra-provincial licence.

The Committee instructed the Secretary to write Mr. J.S. Yoerger, requesting that he forward to the Committee, the objects clause of the company.

Correspondence from Mr. J. K. Young, Director, Companies Branch, Department of the Provincial Secretary, was reviewed by the Committee at its May meeting.

The Secretary was instructed to write the Department of the Provincial Secretary, informing them that the Committee objects to the granting of an extra-provincial license to this Saskatchewan corporation.

The Committee are of the opinion that the objects of the company are contrary to The Solicitors Act, in particular with respect to clauses (f) and (g) which read:

(f) To take part in the drawing of any instrument or conveyance, agreement for sale, memorandum or articles of association, wills or testaments and all such similar notes, documents or agreements.

(g) To carry on any other business or calling which may seem to the company capable of being conveniently carried on in connection with the company's business, or calculated, either directly or indirectly, to enhance the value of, or render profitable, in any way, any of the company's property or rights.

GENERAL

The Committee recommended that no further action be taken with respect to one matter, another matter be referred to the Professional Conduct Committee for consideration, and one other matter be referred to Counsel for an opinion.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—Mr. Ball

Your Committee met on the 20th May, 1966, the following members being present: Messrs. Ball (Chairman), Fennell (Vice-Chairman), Beament, Clement, Creighton, Harris, Raney, Steele and Strauss.

Annual Grants

Your Committee reports that the following law associations have now filed their annual returns for the year 1965 in accordance with Rule 104 (2) and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to them as follows:

Hastings and Prince Edward	$1,225.00
Lambton	$1,325.00
Lanark	600.00
Northumberland and Durham	$1,041.67
Ontario	$1,616.67
Oxford	950.00
Parry Sound	600.00

County and District Library Inspections

Your Committee reports that the Chief Librarian is continuing with the county and district library inspections, and in this respect, recommends that expenses incurred in the last inspection amounting to $14.50 be paid.

THE REPORT WAS ADOPTED.

LEGAL AID COMMITTEE

Mr. Levinter, Chairman, read a letter from the Secretary dated May 10, 1966, advising that during the week of April 4th a representative of the Prime Minister of Thailand, and a representative of the Chief Justice of Trinidad and Tobago, visited this Society to study the proposed new legal aid system in Ontario. Both of these gentlemen are travelling on United Nations scholarships for this specific purpose. Since that time Mr. P.J. Gibeau, Director of Legal Aid for Alberta has also been in the office and discussed the proposed new plan with Mr. Lawson.

CORRESPONDENCE

The Treasurer read a letter from Mr. Allan F. Lawrence, Q.C., M.P.P., to Mr. J.D. Arnup, Q.C., dated the 29th April 1966, respecting the work of the Select Committee on Company Law, in which he raises the question of corporations being empowered to practise law, and asks for the Society's views.

It was ordered that the matter be referred to the Professional Conduct Committee for consideration and report.

At the Treasurer's suggestion, Convocation resolved that a letter and flowers be sent to Mr. G.W. Mason, Q.C., on the occasion of his 87th birthday.

CONVOCATION ADJOURNED at 12:55 p.m. to resume on Friday, the 27th May 1966 at 2:30 o'clock in the afternoon.

Friday, 27th May 1966,
2:30 p.m.

Convocation resumed the meeting adjourned from the 20th May, 1966.

PRESENT:

The Treasurer, and Messrs. Ball, Bull, Chappell, Common, Cudney, Dubin, Ford, Goodman, Howland, Maloney, MacKinnon, Robins, Sheard and Strauss.

Appointment of Standing Committees

At the request of the Treasurer, Mr. Robins presented the Report of the meeting of the Treasurer, Chairmen and Vice-Chairmen of Standing Committees:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED:

A meeting of the Treasurer and Chairmen and Vice-Chairmen of the Standing Committees as presently constituted was held on Thursday, the 26th of May, 1966, the Treasurer and Messrs. Howland, Ford, Levinter, Maloney, Robins, Sheard, Steele and R. F. Wilson being present, and they recommend that the constitution of the Standing Committees for the ensuing year be as follows:

1. Finance Committee

Messrs. Cassels
Clement
Common
Cudney
Goodman
Gray
Harris
Howland
Levinter
Martin, W. S.
McLaughlin
Sheard
Slemin
Steele
Thom
Weir
Williston
Wilson, P. D.
Wilson, R. F.

2. Legal Education

Messrs. Ball
Callon
Cass
Creighton
Dubin
Howland
Jamieson
MacKinnon
Robins
Seymour
Sheard
Slemin
Thom
Weir
Williston
Wilson, R. F.

3. Unauthorized Practice

Messrs. Ball
Beament
Bowlby
Callon
Chappell
Clement
Levinter
Martin, W. S.
Raney
Seymour
Sheard
Slemin

Creighton
Cudney
Fennell
Ford
Steele
Strauss
Weir

4. COUNTY LIBRARIES

Messrs. Ball
Beament
Cass
Clement
Creighton
Fennell
Harris
Martin, W. S.
McCulloch
Raney
Seymour
Slemin
Steele
Strauss
Weir

5. ADMISSIONS

Messrs. Bull
Cass
Howland
Jamieson
MacKinnon
Robins
Sheard
Wilson, R. F.

6. PROFESSIONAL CONDUCT

Messrs. Bull
Callon
Dubin
Fennell
Ford
Goodman
Gray
Howland
MacKinnon
Maloney
Slemin
Strauss

7. LEGISLATION & RULES

Messrs. Common
Goodman
Sheard
Williston
Wilson, R. F.

8. CONTINUING EDUCATION

Messrs. Bull
Cass
Dubin
Gray
Howland
Jamieson
MacKinnon
Maloney
Martin, G. A.
Robins
Slemin
Thom

9. DISCIPLINE

Messrs. Ball
Beament
Bowlby
Bull
Levinter
MacKinnon
Maloney
Martin, G. A.

Chappell
Common
Creighton
Cudney
Dubin
Ford
Goodman
Gray
Harris
Howland
McCulloch
McLaughlin
Rigney
Robins
Seymour
Slemin
Thom
Williston
Wilson, P. D.
Wilson, R. F.

10. LIBRARY

Messrs. Cassels
Chitty
Common
Cudney
Harris
Levinter
Maloney
Martin, W. S.
McCulloch
Slemin
Steele
Strauss
Williston
Wilson, P. D.

11. PUBLIC RELATIONS

Messrs. Ball
Bowlby
Chappell
Goodman
Gray
Jamieson
McCulloch
Martin, W. S.
Weir

12. REPORTING

Bowlby
Cass
Cassels
Common
Ford
Harris
Levinter
Maloney
Martin, G. A.
Martin, W. S.
McCulloch
McLaughlin
Strauss
Wilson, P. D.

13. LEGAL AID

Bowlby
Chitty
Common
Dubin
Ford
Jamieson
Levinter
Maloney
Steele
Seymour
Thom
Williston

Moved by Mr. Robins, seconded by Mr. Howland, that the Report be adopted.

Carried.

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen and Vice-Chairmen.

ELECTION OF CHAIRMEN AND VICE-CHAIRMEN

Convocation having resumed, the Reports of the Standing Committees reporting the election of Chairmen and Vice-Chairmen, were adopted:

1. FINANCE COMMITTEE
   Chairman — R. F. Wilson
   Vice-Chairman — Terence Sheard

2. LEGAL EDUCATION COMMITTEE
   Chairman — W. G. C. Howland
   Vice-Chairman — S. L. Robins

3. ADMISSIONS COMMITTEE
   Chairman — Terence Sheard
   Vice-Chairman — W. G. C. Howland

4. DISCIPLINE COMMITTEE
   Chairman — W. G. Gray
   Vice-Chairman — G. W. Ford

5. PROFESSIONAL CONDUCT COMMITTEE
   Chairman — S. E. Fennell
   Vice-Chairman — W. G. Gray

6. LIBRARY COMMITTEE
   Chairman — R. D. Steele
   Vice-Chairman — Nathan Strauss

7. REPORTING COMMITTEE
   Chairman — G. W. Ford
   Vice-Chairman — A. E. M. Maloney

8. UNAUTHORIZED PRACTICE COMMITTEE
   Chairman — S. E. Weir
   Vice-Chairman — L. M. Ball

9. COUNTY LIBRARIES COMMITTEE
   Chairman — L. M. Ball
   Vice-Chairman — H. E. Harris

10. PUBLIC RELATIONS COMMITTEE
    Chairman — L. M. Ball
    Vice-Chairman — W. S. Martin

11. LEGAL AID COMMITTEE
    Chairman — Isadore Levinter
    Vice-Chairman — R. D. Steele

12. CONTINUING EDUCATION COMMITTEE
    Chairman — S. L. Robins
    Vice-Chairman — W. G. Gray

13. LEGISLATION AND RULES COMMITTEE
    Chairman — R. F. Wilson
    Vice-Chairman — W. B. Williston

CANADIAN BAR ASSOCIATION

Moved by Mr. Howland, seconded by Mr. Ford, that Mr. J.D. Arnup, Q.C., and Mr. S.L. Robins, Q.C. be appointed the Society's representatives on the Council of the Canadian Bar Association to take office at the end of the Annual Meeting in 1966.

Carried.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

Moved by Mr. Strauss, seconded by Mr. Robins, that Mr. Brendan O'Brien, Q.C. be appointed the Society's representative on the Executive of the Conference of Governing Bodies of the Legal Profession in Canada.

Carried.

LEGAL AID PROGRAMME COMMITTEE

The Treasurer announced that a vacancy had occurred on that Committee, and that Mr. G.A. Martin had said he would allow his name to stand and to act as Chairman.

Moved by Mr. Strauss, seconded by Mr. Ford, that Mr. G.A. Martin, Q.C. be elected to fill the vacancy as Chairman.

Carried.

SPECIAL COMMITTEE ON OSGOODE HALL LAW SCHOOL AFFILIATION WITH YORK UNIVERSITY (1965)

The Treasurer announced that Mr. Arnup wished no longer to be Chairman of this Committee, and also that a vacancy had occurred on the Committee.

Moved by Mr. Ford, seconded by Mr. Dubin, that Mr. W.G.C. Howland be appointed Chairman, and Mr. Robins Vice-Chairman of the Committee; that Mr. Arnup remain a member of the Committee.

Carried.

CONVOCATION THEN ROSE

"Brendan O'Brien"
Treasurer

MEETING OF CONVOCATION

Friday, 17th June 1966
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Bowlby, Bull, Callon, Cass, Chappell, Chitty, Creighton, Fennell, Gray, Gregory, Harris, Howland, Maloney, G. A. Martin, McCulloch, MacKinnon, Raney, Seymour, Sheard, Slemin, Steele, Strauss, Thom, Weir, Williston, P. D. Wilson and R. F. Wilson.

The Minutes of the meeting of Convocation of 20th May 1966 were read and confirmed.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 16th day of June, 1966, the following members being present: Mr. W. G. C. Howland, Vice-Chairman, in the Chair, and Messrs. Bull, Cass, MacKinnon, Robins and R. F. Wilson.

CALL TO THE BAR AND CERTIFICATES OF FITNESS

Transfers from Another Province

The following candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now apply for call to the Bar and to be granted Certificates of Fitness:

Samuel Richards Baker — Alberta
Arthur Norwood Carter — New Brunswick
Howard Edward Crosby — Nova Scotia
Sarah Richter — Nova Scotia

Approved

The Committee considered applications by a graduate of an approved law school and by lawyers from Manitoba, India, Scotland and England to qualify for practice in Ontario and made recommendations thereon.

SAMUEL YURMAN

Mr. Yurman completed the requirements for graduation from Osgoode Hall Law School in 1937 but was not called to the Bar. He has been employed by a trade organization in fields related to the law governing bankruptcy, taxation and collection of debts. He now wishes to be called to the Bar with a view to engaging in private practice with the firm of Messrs. Page and Kamin in Toronto.

Your Committee recommends he be required to complete the teaching portion of the Bar Admission Course.

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Samuel Richards Baker — Transfer — Alberta
Arthur Norwood Carter — Transfer — New Brunswick
Howard Edward Crosby — Transfer — Nova Scotia

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 16th day of June, 1966, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Ball, Callon, Cass, MacKinnon, Seymour, Williston and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the approval of the Committee to the following appointments to the Faculty of the Bar Admission Course:

Creditors' Rights and Bankruptcy

Mr. George Cihra, as an instructor.
Mr. R. Dodokin, as a stand-by instructor.

Approved

The Director submits the following memorandum:

"Mr. Terence Sheard and Mr. James T. Gow have found it necessary to resign as heads of the Estate Planning Course. These gentlemen have been in the Course from the beginning and have certainly done more than their share to make the Course a success. It was with great regret that I received their resignations.

After consultation with the Chairman of this Committee, and the retiring Heads, Messrs. Sheard and Gow, I recommended that Mr. Kenneth A. Foulds, Q.C., be appointed Head of the Estate Planning Section."

Approved

OSGOODE HALL LAW SCHOOL

EXAMINATION RESULTS — SPRING 1966

Third Year LL.B. Course

The Acting Dean submits the following results of the examinations of the students of the Third Year in Osgoode Hall Law School.

There were 148 students who were entitled to write the Spring Term examinations. The complete returns are as follows:

Medals

Silver Medal — T. G. Heintzman

Honours

The following student having passed all examinations and obtained at least 75% of the aggregate marks obtainable is entitled to pass with Honours:

T. G. Heintzman

Summary and Comparative Analysis

	Spring 1965	*Spring 1966*
Honours	1	1
Pass Class I	28	37
Pass Class II	94	97
	123	135
Aegrotat	1	6
Supplementals	12	5
Failures	—	2
	136	148

DIPLOMA IN COMMERCIAL LAW

The Faculty requests the approval of granting the diploma in Commercial Law to Pierre G. Rioux who has satisfactorily completed the required course of study.

Approved

APPROVAL OF DEGREES AND COURSES

The Faculty recommends approval of the following courses for the purpose of entry into Osgoode Hall Law School: the Degree of Bachelor of Arts, St. John Fisher University, Rochester. N.Y.; Bachelor of Arts, University of Akron, Ohio; and Bachelor of Arts in Business Administration, Woodbury College, Los Angeles, California.

Approved

LL.B. DEGREE — RETROACTIVE CONFERMENT

At its meeting on the 17th of March, 1966, a letter was before the Committee from F. John Evans, Esq., Q.C., President of the Hamilton Law Association conveying the request of that Association that the Benchers again consider the question of awarding the degree of LL.B. to all practising Ontario lawyers who have not already received it. The matter was allowed to stand over for consideration at the April meeting at which time the Committee recommended that the matter stand to the June Meeting.

Your Committee recommends that Mr. Evans be advised that the matter has been carefully considered but that the Committee recommends that no action be taken.

Moved by Mr. Ball, seconded by Mr. Seymour that the degree "Barrister-at-Law" may be shown by the letters B.L. after the name of any member of the Bar of Ontario who wishes to. The motion was defeated.

Moved by Mr. Howland, seconded by Mr. Robins, that the Report be adopted.

Moved in amendment by Mr. Weir, seconded by Mr. Ball, that that part of the Report dealing with the retroactive granting of LL.B. degrees, be referred back to the Committee.

Carried

THE REPORT AS AMENDED WAS ADOPTED.

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on Wednesday, the 15th day of June 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Terence Sheard (Vice-Chairman), Common, Harris, Howland, Steele, Thom and Williston.

Accounts

The Secretary reports that from the 1st May to 31st May 1966 accounts, including Library Accounts, properly approved, to the amount of $57,025.42 have been paid.

The Secretary also reports that from the 1st May to the 31st May 1966 Legal Aid accounts to the amount of $990.77 have been paid.

Noted

Rolls and Records

The Secretary reports —

(1) *Appointment to the Bench*

That the following former member of the Law Society has been honoured in his appointment to judicial office, and his name has been removed from the rolls and records of the Society:

Harry Alexander Stark, Q.C. Toronto	Called — 19th June 1930 Appointed Judge, S.C.O., June 13/66.

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

John Pezzack, Q.C., Toronto	Called — 16th June 1927 Died — 17th May 1966
R. J. Marshall, Agincourt	Called — 18th September 1947 Died — 15th May 1966
Waldon Lawr, Q.C., Toronto (Honorary Life Member)	Called — 18th September 1914 Died — 17th May 1966
A. W. Beament, Q.C., Ottawa	Called — 13th November 1922 Died — 24th May 1966
F. O. Gallagher, Q.C., Oakville	Called — 21st November 1929 Died — 25th May 1966

Noted

RESIGNATIONS

Your Committee, having considered the material filed under the relevant rule, recommends that the resignations of the following members be accepted:

Edward Leonard O'Reilly, Toronto — Called, 27th January 1924.

John E. S. Taylor, St. Catharines — Called, 14th September 1922.

Gordon Glenn Marshman, Q.C., London — Called, 21st September 1944.

THE REPORT WAS ADOPTED

APPLICATION FOR REINSTATEMENT — R. H. Smith

Mr. R. H. Smith was suspended from practice for nonpayment of fees for one year from the 20th May 1966. He has now paid the required fees and filed the necessary documents, and asks that he be reinstated.

Moved by Mr. R. F. Wilson, seconded by Mr. Sheard, that Mr. R. H. Smith be reinstated as a barrister and solicitor and that his Practising Certificate be issued.

Carried

DISCIPLINE COMMITTEE — Mr. Gray

Your Committee met on Thursday the 16th of June 1966 the following members being present: Mr. W. G. Gray, Chairman, and Messrs. Ball, Bull, Bowlby, Chappell, Dubin, Goodman, Harris, Howland, MacKinnon, McLaughlin, Robins, Seymour, Slemin, Thom, Williston and P. D. Wilson.

The Committee discussed the appointment of a referee under subsection 10 of Section 53 of The Law Society Act and recommends that Peter Wright, Esq., Q.C. be appointed a referee under subsection 10 of Section 53 of The Law Society Act at a remuneration to be fixed by the Chairman, the Vice-Chairman and the Secretary after consultation with Mr. Wright.

Your Committee further recommends that a sub-committee, composed of the Chairman, the Vice-Chairman and the Secretary, be empowered to refer Compensation Fund Applications to the referee for report to the Discipline Committee.

Your Committee also recommends that the Chairman appoint a sub-committee forthwith to settle procedures to be followed in cases where Compensation Fund applications are referred to the referee.

THE REPORT WAS ADOPTED.

Mr. B. J. MacKinnon took no part in the discussion and did not vote.

PROFESSIONAL CONDUCT COMMITTEE — Mr. Fennell

Your Committee met on Thursday, the 9th day of June, 1966, the following members being present: Mr. S. E. Fennell, Chairman, and Messrs. Callon, Goodman, Howland, MacKinnon, Maloney and Strauss.

2. RULING 16 - DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

The Society received letters from six members raising specific questions about the effect of Ruling 16, and your Committee has instructed the Secretary what replies to make in each case.

Applications have been received from the following publications under Section 3 of Ruling 16:

The Northern Miner
Canadian Mines Handbook
The Veterans Advocate
Campbell's List
Attorney's Forwarding Directory
Clearing House Quarterly
The Attorneys' Register
The National List
Board of Trade Journal
The Columbia List

Your Committee recommends that a Sub-Committee be appointed by the Chairman to formulate the principles upon which publications may be approved and that those which have applied be informed that the matter is under consideration.

The Bell Telephone proposed to the Society that it purchase space in the yellow pages to identify the lawyers listed therein as members of the Society and to advertise their skills. They submitted a proposed layout. Your Committee recommends against accepting their proposal.

3. RULING 18 - TOUTING, ADVERTISING & ATTRACTING BUSINESS UNFAIRLY

The Society's attention was drawn to an advertisement in the April 21st issue of the Oakville "Daily Journal Record", announcing the opening of a practice but containing some objectionable words. The members of the firm had been written to and replied explaining the circumstances and offering an apology. Your Committee recommends that they be informed that the announcement was in violation of Rulings 16 and 18 and that their apology is accepted.

The Committee's attention was drawn to a submission in connection with "Who's Who" called "Who's Who in Canadian Jurisprudence", which takes the form of a series of pamphlets each one of which carried the name of a member, his firm, his photograph and biographical information. Your Committee recommends that the matter be referred to the Sub-Committee dealing with the approval of Directories under Section 3 of Ruling 16.

4. PROPOSED NEW RULING - BANKRUPTCY

A proposed new Ruling relating to members who become bankrupt was published in the April 1st, 1966, issue of the Ontario Reports with an invitation to the profession to comment upon it. Your Committee has received letters from sixteen members most of whom criticize the proposed Ruling and some of whom take strong exception to it, chiefly on the ground that it places the onus upon a member to show that his conduct has been honourable. The correspondence is being considered carefully and the matter will be considered further at the next meeting of the Committee.

5. MISCELLANEOUS

Mr. Gordon F. Beddis, as President of the Ontario Sheriffs' and Court Registrars' Association, wrote to the Society raising two problems: first, whether a Local Registrar in his capacity as a Special Examiner should permit solicitors to send a stenographer, clerk, student from his office or representative of his client to conduct an examination of a judgment debtor; secondly, whether a Local Registrar is justified in accepting an affidavit made by a person who signs it as being "in the employ of the solicitor for the plaintiff" when he is in fact simply an agent for the lawyer. Your Committee recommends that the matter be referred to the Unauthorized Practice Committee and that the Secretary of that Committee get further information on what services the agent performs.

A solicitor from Windsor asked the Committee's advice on the following problem: He acts for a man who within a four month period suffered similar injuries. On the first occasion solicitor B acted for him and on the second solicitor B proposed to act for an interest opposing the plaintiff's claim. Your Committee was asked whether in all the circumstances it was proper for solicitor B to continue to act since he may have gained knowledge from the client while acting for him that would be useful to his new client in opposing him in the present action. Your Committee recommends that the solicitor be informed that since there is a real possibility of a conflict of interest, solicitor B should not continue to act.

Your Committee had before it a letter signed by a member of the bar who was a Judge but who is now retired and who continues to sign himself using the designation "Judge". Your Committee recommends that the Chairman be authorized to write to the member asking him to discontinue using the title "Judge".

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE — Mr. Steele

Your Committee met on the 15th day of June, 1966, the following members being present: Messrs. Steele (Chairman), Strauss (Vice-Chairman), Common, Harris, Maloney and Williston.

Library Staff

Your Committee reports that Miss Catherine Anne Court, B.A. has been engaged to fill the vacancy of secretary in the Great Library, effective May 30, 1966. Miss Court is a graduate in General Arts of the University of Toronto and has had some business experience.

Your Committee further reports that Miss Jacqueline Munro who was engaged as library assistant in the Great Library on February 2, 1962, has tendered her resignation effective July 31, 1966, in order to complete her university studies. Your Committee recommends that the Chief Librarian be authorized to engage a suitable replacement.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE — Mr. Ball

Your Committee met on the 17th day of June, 1966, the following members being present: Messrs. Ball (Chairman), Harris (Vice-Chairman), Beament, Cass, Creighton, Fennell, Raney, Seymour, Slemin, Steele, Strauss and Weir.

ANNUAL GRANTS

Your Committee reports specially that the following law associations having failed to file their annual reports by the 31st day of January, have now filed their annual returns for the year 1965 in accordance with Rule 104 (1) and (2) and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grants be made to them as follows:

Carleton				1,850.00
Halton		$1,229.00		
	Less loan	400.00	(in full)	829.00
Huron				600.00
Lennox and Addington				600.00
Lindsay				660.00
Nipissing		616.17		
	10% penalty	61.61		554.56
Peel		1,384.00		
	Less loan	700.00	(bal. 2,100.00)	684.00
Renfrew				705.00
Simcoe				1,466.67
Stormont, Dundas and Glengarry				866.67
Sudbury				1,850.00
Thunder Bay				1,364.62

ANNUAL RETURNS

Your Committee reports that annual returns have been received from all of the county and district law associations with the exception of Peterborough Law Association. It is expected that this association will submit its report shortly.

WORKING LIBRARY LIST

Your Committee reports that a selected consolidated list of publications has been prepared for distribution to the county and district libraries to assist them in the purchase of books.

THE REPORT WAS ADOPTED.

LEGISLATION AND RULES COMMITTEE

— Mr. R. F. Wilson

Your Committee met on the 16th of June 1966 the following members being present: Mr. R. F. Wilson in the Chair and Messrs. Common, Goodman and Williston.

Your Committee recommends that W. B. Common, Esq., Q.C. be retained to assist the Committee in drafting a new Act or Acts to replace the present three Legal Acts. Mr. Common refrained from voting and took no part in the discussion.

THE REPORT WAS ADOPTED.

LEGAL AID PROGRAMME COMMITTEE

—Mr. G. A. Martin

Your Committee met on Wednesday, the 8th day of June, 1966, the following members being present: Mr. G. Arthur Martin (Chairman), and Messrs. Common, Houser and Reid.

In January, Convocation adopted the Committee's recommendation that the Legal Aid Programme Committee be not discharged until The Legal Aid Act, 1966 has been passed by the Legislature and the Regulations have been drafted by that Committee and approved by Convocation and the Lieutenant Governor in Council.

APPOINTMENT OF A SUB-COMMITTEE

Your Committee recommends to Convocation that it is imperative that a Legal Aid Plan be ready for operation as soon as possible after the statute has been enacted, and reports that a Sub-Committee of the Legal Aid Programme Committee has been appointed consisting of Messrs. Martin, Common, Reid and Houser, to prepare a detailed plan setting out the operation of the new Legal Aid scheme and to draft the regulations.

DIRECTOR OF LEGAL AID

The Legal Aid Programme Committee recommends to Convocation, subject to the proclamation of the legislation, and the approval of the Attorney-General, that:

1. Andrew M. Lawson be appointed the Director of the Legal Aid Plan for the Province of Ontario; and that Andrew M. Lawson be relieved of his duties as a Deputy Secretary of the Law Society, subject to his remaining as Secretary of the Standing Committee on Legal Aid of the Law Society, and Secretary of your Legal Aid Programme Committee.
2. Mr. Lawson be authorized to employ a Secretary, and such other persons as are necessary, to administer a Legal Aid Plan in accordance with The Legal Aid Act, 1966, subject to consultation with the Chairman of the Legal Aid Programme Committee.
3. Mr. Lawson be authorized to obtain office accommodation of approximately 2,000 square feet.

The Committee further recommends that when the Legal Aid Act, 1966 has been proclaimed by legislation, the Director be authorized to attend upon and consult with the Presidents of the local Bar Associations, and the Local Directors of Legal Aid, to enable the Committee to determine what areas in the Province will be designated for the purposes of the Plan; as well as to obtain information to enable the Committee to recommend to the Attorney General, appointments of Area Directors, Area Committees, Panels of Duty Counsel to serve Magistrates Courts, Panels of Solicitors willing to give legal advice, and Panels of Solicitors willing to give Legal Aid; and that the Director be allowed his reasonable travelling expenses.

THE REPORT WAS ADOPTED.

Moved by Mr. G. A. Martin, seconded by Mr. Gray, that Mr. D. A. Keith, Q.C. be confirmed as a continuing member of the Legal Aid Programme Committee.

Carried.

SPECIAL COMMITTEE ON THE CORONERS ACT

—Mr. Williston

At the meeting of Convocation on the 18th of September 1964, the Treasurer read letters from the College of Physicians and Surgeons of Ontario and the Ontario Medical Association requesting the views of the Society on the Coroners Act and related subjects. The matter was referred to a Special Committee appointed by the Treasurer consisting of Mr. Williston (Chairman) and Messrs. Fennell, Gray, Keith and O'Brien.

The Committee met on several occasions with representatives of the medical profession and reported to Convocation on the 21st of May 1965, recommending that nothing further be done until the National Council for the Administration of Justice in Canada had delivered its report.

On January 14th 1966 your Committee met in Osgoode Hall with representatives of the medical profession and considered a brief they intended to put before the Royal Commission Inquiry into Civil Rights. Your Committee did not entirely agree with some of the views expressed in it and felt it could not join in submitting the brief. The Committee offered suggestions which were in part reflected in a revised brief later produced by the Ontario Medical Association. On the 28th of January 1966 your Committee met in the offices of the Ontario Medical Association where the revised brief was fully discussed. It did not embody all of the suggestions that your Committee had considered important. Although the Committee still could not join in submitting the brief, it considered that the revisions had made it unnecessary for the Society to submit a separate brief to the Commission.

Your Committee recommends that, its function having been fulfilled, it be discharged.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON ORGANIZATION OF CONVOCATION AND COMMITTEES

Moved by Mr. Robins, seconded by Mr. Steele, that Messrs. Howland, Thom and Callon be appointed to the Special Committee on Organization of Convocation and Committees.

Carried.

CONVOCATION THEN ROSE

Brendan O'Brien
Treasurer.

SPECIAL MEETING OF CONVOCATION

THURSDAY, 23RD JUNE 1966
12 NOON.

PRESENT:

The Treasurer and Messrs. Arnup, Bowlby, Bull, Callon, Cassels, Chitty, Clement, Creighton, Cudney, Dubin, Goodman, Gray, Howland, G. A. Martin, McLaughlin, McTague, Robins, Sedgwick, Sheard, Slemin, Steele, Strauss and Thom.

LEGAL EDUCATION COMMITTEE — Mr. Howland.

Your Committee met on Thursday, the 23rd of June, 1966, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, Creighton, Dubin, G. A. Martin, Sheard, Slemin and Thom.

OSGOODE HALL LAW SCHOOL

HONORARY DEGREE

At the meeting of Convocation 20th May, 1966, the Treasurer announced that the degree of Doctor of Laws, honoris causa, would be conferred upon Francis Reginald Scott, Macdonald Professor of Law of McGill University at the Academic Convocation to be held 23rd June, 1966.

EXAMINATION RESULTS — SPRING 1966

FIRST YEAR

There were 201 students who were entitled to write the Spring Term examinations. The complete returns are as follows:

Honours

The following students having passed all examinations and obtained at least 75% of the aggregate marks obtainable are entitled to pass with Honours:

D. M. Beatty
R. Appleby (aeq.)
B. D. Bucknall (aeq.)

Scholarships

The following are entitled to Law Society Scholarships:

For standing First with Honours:

D. M. Beatty $200

For standing Second with Honours:

R. Appleby (aeq.) $125
B. D. Bucknall (aeq.) $125

Prizes

The following are entitled to prizes:

The Richard Halliburton Greer Prize and
The Harry R. Rose Criminal Law Prize
(for the highest mark in Criminal Law)

D. M. Beatty	$125

The Lawyers Club War Memorial Prizes
(for the highest marks in Civil Procedure)
First Prize—B. D. Bucknall — $100
Second Prize—J. M. Menzies — $ 50

The Kenneth Gibson Morden Memorial Prize
(for the highest mark in Evidence)

C. A. Allison)	$ 25
A. G. Henderson)	$ 25

The Samuel Factor Memorial Prize
(for the highest mark in Contracts)

J. D. Sorbara	$ 50

The Prizes in Legal History
First Prize—B. B. Gasee — $ 75
Second Prize—R. C. Cronish — $ 50

The Prize in Torts
B. D. Bucknall — Carswell Company Prize

Summary and Comparative Analysis

	Spring 1965	*Spring 1966*
Honours	1	3
Pass Class I	31	36
Pass Class II	99	84
Aegrotat	1	0
Supplementals	33	56
Failed	15	22
	180	201

Petitions

The Faculty considered 9 petitions of which 5 were refused and 4 granted and the petitioners allowed to write supplemental examinations.

SECOND YEAR

There were 167 students who were entitled to write the Spring Term examinations. The complete returns are as follows:

Honours

The following student having passed all examinations and obtained at least 75% of the aggregate marks obtainable is entitled to pass with Honours:

D. H. Lapowich

Scholarships

The following is entitled to the Law Society Scholarship for standing first with Honours:

D. H. Lapowich	$200

Prizes

The following are entitled to Prizes:

The Reading Law Club Prize
(for the highest mark in Sale of Goods)

D. H. Lapowich	$ 50

The Ivan Cleveland Rand Scholarship
(for the highest mark in Constitutional Law)

D. H. Lapowich	$100

The Prize in Company Law

J. H. F. Dunham	$100

The William Bruce Henderson Prize
(for the highest mark in Conveyancing and Mortgages)

D. H. Lapowich	$ 50

The Canada Permanent Trust Company Prize
(for the highest mark in Equity)

D. H. Lapowich	$200

The Prize in Family Law

B. P. Bellmore — (Carswell Company Prize)

Summary and Comparative Analysis

	Spring 1965	*Spring 1966*
Honours	2	1
Pass Class I	22	23
Pass Class II	92	99
Aegrotat	2	2
Supplementals	29	36
Failed	2	6
	149	167

Petitions

The Faculty considered 7 petitions of which 1 was refused, 4 were granted and consideration of 2 deferred.

THE REPORT WAS ADOPTED.

LEGAL AID PROGRAMME COMMITTEE

Mr. G. A. Martin.

Your Committee met on Monday, the 20th day of June 1966, the following members being present: Mr. G. Arthur Martin (Chairman) and Messrs. Common, Houser and Reid. Mr. Brendan O'Brien, Q.C., Treasurer, attended at the invitation of the Committee.

Your Committee recommends that its Report dated June 8th, 1966, which was adopted by Convocation on June 17th, 1966, be amended by substituting the following recommendations:

1. that subject to the passing of the Act, and the approval of the Attorney General, Mr. Andrew Lawson be appointed the Director of the Legal Aid Plan for the Province of Ontario;
2. that Mr. Lawson be relieved of his duties as a Deputy Secretary of the Law Society, subject to his remaining as Secretary of the Standing Committee on Legal Aid of the Law Society, and Secretary of your Legal Aid Programme Committee.

The Committee further recommends, subject to the passing of the Act, that:

1. Mr. Lawson be authorized to employ a Secretary, and such other persons as are necessary, to administer a Legal Aid Plan in accordance with the Legal Aid Act, 1966, subject to consultation with the Chairman of the Legal Aid Programme Committee;
2. Mr. Lawson be authorized to obtain office accommodation of approximately 2000 square feet;
3. Mr. Lawson be authorized to attend upon and consult with the Presidents of the local Bar Associations, and

the Local Directors of Legal Aid, to obtain the necessary information to enable the Committee to establish the Plan.

THE REPORT WAS ADOPTED.

CORRESPONDENCE

The Treasurer read a letter from Senator Roebuck extending to the Society on behalf of the Joint Committee of both Houses of Parliament on the subject of divorce, the opportunity to submit a brief. The Treasurer pointed out that traditionally the Law Society has not taken an active role in relation to law reform unless the law relates directly to the Society or is one that would clearly affect the profession as a whole and it is reasonably certain that the profession would have a common view as to the position the Society should take; for example, legislation that might result in encroachments on the legal profession. He said that the Society's main job is to govern the legal profession pursuant to the provisions of The Law Society Act which sets forth the matters which should have the Society's main attention and interest. In a situation where the Society should submit a brief to a Board of inquiry care should be taken to be sure that the Society is speaking for the profession as a whole. The matter raised by Senator Roebuck's letter is clearly not a problem affecting the profession directly, nor is it one on which the profession would have a common view. The Canadian Bar Association has already devoted considerable time to the study of divorce laws. It plans to bring the matter before the Annual Meeting at Winnipeg to obtain approval of a formal submission which in all probability will then be presented to the Joint Committee.

In the circumstances the Treasurer stated his intention, subject to the approval of Convocation, to advise Senator Roebuck that the Society will not file a brief, giving a short statement of the reasons for not doing so.

Convocation approved.

CONVOCATION ADJOURNED AT 12:30 P.M.

The Treasurer and Benchers entertained at luncheon Professor Frank R. Scott, Q.C., Macdonald Professor of Law, McGill University, Chief Justice Gale, Dr. Harold G. Fox, Q.C., Professor Alan W. Mewett, Acting Dean, and Professor R. J. Gray, Assistant Dean, of the Osgoode Hall Law School.

CONVOCATION RESUMED AT 2:30 P.M. AT THE O'KEEFE CENTRE,

A QUORUM BEING PRESENT.

The Treasurer and Benchers and their guests, and the Acting Dean and members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded in academic procession to the stage of the auditorium.

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee, read the prayer.

Conferring of Honorary Degree

The Chairman of the Legal Education Committee read the following citation:

> I present to you, Mr. Treasurer, FRANCIS REGINALD SCOTT, Fellow of the Royal Society of Canada, formerly Dean and presently Macdonald Professor of Law at McGill University. He has been a sure-footed guide for those that have sought a way through the quagmires of Constitutional Law. In the past, a catalyst to the political life of our country, today an indispensable contributor to the dialogue of Confederation, he has always been a courageous champion of the cause of civil liberties and ever a wise and generous counsellor to those entangled in the thickets of the law. He is and has been for forty years a teacher whose ability to create true magic in a classroom has inspired generations of students to a love of learning and whose example is an inspiration for all law teachers. A true bi-culturalist, he is also a noted poet, who, through tears and laughter, has often blasted the sheltering pines of established society to bring greater self realization to his fellow men.
>
> We salute Frank Scott, a man of intellect, a man of action, a man of passion, a gentle man and present him to you that you may confer upon him our highest academic award.

The Treasurer then conferred the degree of Doctor of Laws, honoris causa, upon Professor Francis Reginald Scott.

CONFERRING OF DEGREE OF MASTER OF LAWS

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidate who has complied with the requirements prescribed for graduate study at the Osgoode Hall Law School, the degree of Master of Laws:

G. S. Sharat Chandra, B.A., B.L., Mysore, India.

CONFERRING OF DEGREES IN COURSE

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidates who have completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws:

With Honours

Thomas Giles Heintzman

Edwin Wayne Adler
Melvyn Hartley Aiken
Constantine Amourgis
Alan Finlay Ashton
Oleksander Dionizij Babij
Douglas Joseph Barber
Lucien Arthur Beaulieu
Brock Howard Bedford
Robert Holmes Blackburn
Patrick Gerald Bradley
Donald John Brown
Peter Lloyd Brown
Gordon Douglas Buckle
Stanley Raymond Budd
Francis Edward Burns
Alistair Mackenzie Campbell
William Douglas Chambers
Bradley James Chapman
Kenneth Forbes Christie
John Leslie Clendenning
Robert Anthony Cobham
Maurice John Coombs
Ralph Douglass Dalgarno
George Camillo Damiani
Allan Elia Davidson
George Delrue
Arnold Diamond
Marvin Larry Ellison
Philip Aaron Fellen
David Mitchell Fieldstone
Courtney Henry Foster
Patricia Riley German
Paul Joseph Green
Gerald Lawrence Gross
Gerald Grupp
Judith Zeisler Hans
William Cullen Hawken
William Ross Heacock
Arnold Heisler
William John Herdy
John David Henry Hobson
David Thomas Allen Hogben
Ronald Nicholas Horeck
Peter Richard Wilton Isaacs
Donald William Johnson
Mervyn Brian Kelly

Louis Kesten
Gloria Rieta Klowak
Robert Nestor Kostyniuk
Emil Milan Kudrac
Alphonse Thomas Lacavera
Paul William Lang
James Shael Leibel
Alexander Ziskind Leve
John Bruce Lubell
Michael McKenzie Lynch
John Henry Madden
William Guy Mahaffy
Thomas Cameron Marshall
William Douglas Martin
Myron Matlow
James Gordon Matthews
Philip Henry Meretsky
Robert Sheldon Merker
Paul Merrick
Joseph Walter Mik
Albert Miller
Leonard Miller
Robert Joseph Miller
John Stewart MacGregor Mitchell
Robert Cameron Mitchell
David Michael Montcalm
Franklin Roy Moskoff
Geoffrey Trueman Mullin
Stuart Childs Mackay-Smith
Bruce Irwin Mactaggart
Vincent Frederic Scott McAuley
John Lorn McDougall
George Wm. Dent McKechnie
Hilda Margaret McKinlay
John David McPhail
Donald Dalton McPherson
Andrew Grant McQuilkin
Richard Nemis
David Douglas Newey
Leslie Thomas Paci
Elliott Herbert Pearl
Edward Alan Peters
Emil Joseph Petko
Douglas Edward Pezzack
George Francis Gray Pooley
Wietse Posthumus
Thomas Wm. Gordon Pratt
Joseph Gerard Quinn
Garry George Rishor
Peter Miles Rowland
Barrie Rubin
Timothy William Sargeant
Frank Alexander Sargent
George William Saunders
Joel Henry Selley
James Shantora
Irvin Harold Sherman
James Richard Shuttleworth
John Skala
Joel Ronald Smith
Paul Mansell Gifford Smith
Richard John Somers
Robert Boyd Statton
Donald Alan Cameron Stewart
Michael Frank Stoyka
Terence Joseph Tait
Joseph Michael Tanzola
Dennis Daniel Joseph Tascona
Norman William Tomas
John Edwin Valeriote
Gary Richard Vedova
Michael Graydon Wade
Robert Harold Waters
William Crichton Webster
Robert David Weiler
Sirje Weldon
David Alexander Waring Wetmore
John Cyril Wilkins
Eber James Robert Willis
Stephen Roland Wilson
Herbert Lewis Wisebrod
Robert George Witterick
Blemus Wright
Marvin Arthur Zuker

In absentia

George Dudley Barbour Butterfield John Palmer Moise

Diploma in Commercial Law

Pierre G. Rioux

The Treasurer presented the following medals, scholarships and prizes won by the members of the graduating class:

Silver Medal — T. G. Heintzman

The Chancellor Van Koughnet Scholarship	T. G. Heintzman
The Christopher Robinson Mem. Scholarship	J. W. Mik
The Matthew Wilson Mem. Scholarship	Wietse Posthumus
The Clara Brett Martin Mem. Scholarship	M. L. Ellison
The Prize in Conflict of Laws	Mrs. P. R. German
The Prize in Creditors' Rights	T. G. Heintzman
The Prize in Admiralty Law	Mrs. H. M. McKinlay
The Prize in Labour Relations Law	T. G. Heintzman
The Insurance Company of North America Prize in Insurance Law—H. C. Mills Mem. Award	D. A. C. Stewart
The Prize in Income Tax	E. A. Peters
The Northern Ontario Prize	R. D. Weiler
The Butterworth Prize	R. G. Witterick
The Prize in Public International Law	M. J. Coombs
The Reading Club Prize in Jurisprudence	T. G. Heintzman
The Thomas Cowper Robinette Mem. Prize	J. L. Clendenning

The Treasurer congratulated the graduating class on behalf of the Osgoode Hall Law School and The Law Society of Upper Canada, and introduced to them and their families and friends Professor Frank R. Scott, Q.C., Macdonald Professor of Law at McGill University, who addressed Convocation.

CONVOCATION THEN ROSE

Following the meeting of Convocation, the Treasurer and Benchers entertained the graduates, their families and friends at a reception in the main lounge, lower floor, of the O'Keefe Centre.

SPECIAL MEETING OF CONVOCATION

Tuesday, 26th July 1966
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Ball, Beament, Bowlby, Bull, Callon, Cass, Cudney, Gray, Howland, Levinter, Maloney, G. A. Martin, W. S. Martin, Raney, Robins, Slemin, Steele and Thom.

DISCIPLINE COMMITTEE—Mr. Gray

Your Committee met on Tuesday, the 26th of July, 1966, the following members being present: Messrs. W. G. Gray (Chairman), Ball, Beament, Bowlby, Bull, Cudney, Howland, Levinter, Robins and Thom.

Your Committee had before it the report of the sub-committee appointed by the Chairman on the 16th of June 1966. The report recommended approval of the following procedures to be followed in cases where Compensation Fund Applications are referred to a Referee:

"PROCEDURES TO BE FOLLOWED IN CASES WHERE COMPENSATION FUND APPLICATIONS ARE REFERRED TO A REFEREE

1. Applications to the Compensation Fund may be referred by the Discipline Committee or by a sub-committee of the Discipline Committee composed of the Chairman and Vice-Chairman of the Committee and the Secretary to a Referee appointed by the Benchers.
2. Applications referred to the Referee must have been made in writing by or on behalf of the person who alleges that he has suffered a loss and shall contain full particulars of the loss alleged to have been sustained, including,
   - (a) the name and address of the barrister or solicitor whose dishonesty is alleged to have led to the loss;
   - (b) the amount of the alleged loss;
   - (c) the business or transaction with the barrister or solicitor out of which it is alleged that the loss arose;
   - (d) the date upon which the alleged loss first came to the knowledge of the applicant.

3. The Referee may sit in Osgoode Hall or elsewhere and the proceedings before him shall be recorded by a shorthand reporter. He shall have the power to enforce the attendance of witnesses and to compel them to give evidence and produce documents and things and for such purposes the Benchers shall delegate to the Referee under Sub-section 10 of Section 53 of The Law Society Amendment Act the powers conferred upon the Benchers by Sub-section 8 of Section 53 of The Law Society Act.

4. The Referee shall make a report to the Discipline Committee on the facts which have been established before him and his conclusions therefrom. The Referee shall also make a confidential recommendation to the Discipline Committee as to the disposition of the applications he has considered.

5. A copy of the report of the Referee relating to the facts and his conclusions shall be supplied to the claimant or his solicitor, if he is represented, and the claimant or his solicitor may, within 15 days after the said report has been sent to him, give to the Secretary in writing a statement of any fact or conclusion in the report which he wishes to challenge or dispute.

6. The Discipline Committee shall not act upon the Referee's report or recommendation within 15 days from the day on which a copy of the Referee's report is sent to the claimant or his solicitor.

7. The Referee shall be provided with the services of a stenographer.

8. In considering applications, the Referee shall have regard to the following matters:

   (a) A true solicitor and client relationship should be established.

   (b) There should be satisfactory proof that the money, for which claim is made, was received by the solicitor.

   (c) The claimant should describe instructions given to the solicitor respecting the disposition of the money, preferably corroborated by records contemporary with the original transaction.

   (d) Proof of the solicitor's dishonesty in failure to carry out his instructions should be presented.

   (e) That the claimant is the person entitled to payment should be established.

(f) The claim should be restricted to actual direct loss and exclude interest, costs or consequential damages.

(g) The Society should not be in the position of underwriting doubtful investments and a security of doubtful value should be fairly discounted.

(h) Claims arising out of a debtor and creditor relationship should be disallowed in almost every case.

(i) Where money supposedly invested has been misappropriated all payments received from the solicitor after the investment should have been made should be deducted from the claim even though the client thought he was receiving payment of interest on a valid investment.

(j) The claimant should exhaust any other reasonable legal remedies available to him to recover his loss and in any event if the claim is paid, the Society should pursue the remedy itself under its subrogation rights.

(k) Whether the claimant has presented the facts concerning his loss to the Crown Attorney where there is prima facie proof of criminal conduct on the part of the solicitor.

(l) Any sum properly due the solicitor for costs should be set off against the amount payable from the Fund.

(m) Whether the claimant has made his claim within the time limit.

The sub-committee also recommended that Peter Wright, Esq., Q.C. be appointed a Referee under sub-section 10 of Section 53 of The Law Society Amendment Act 1966 to hold office until his appointment be revoked by the Benchers and that all necessary powers be delegated to him to enable him to carry out his duties, including the same power to enforce the attendance of witnesses and to compel them to give evidence and to produce documents and things as is vested in any court in civil cases, and that he be paid a remuneration to be fixed by the Chairman and Vice-Chairman of the Discipline Committee and the Secretary.

Your Committee so recommends.

It was suggested that the Report be amended by adding the words "inter alia" at the end of the second line of paragraph 8 of the Report.

Moved by Mr. Gray, seconded by Mr. Bowlby, that the Report as amended be adopted.

Carried.

LEGAL AID PROGRAMME COMMITTEE

—Mr. G. Arthur Martin

The Sub-Committee of the Legal Aid Programme Committee met on Tuesday, the 12th day of July, 1966, the following members being present: Mr. G. Arthur Martin (Chairman), and Messrs. Common and Reid.

The Committee reviewed and approved a draft of a proposed scheme under the new Legal Aid Act, 1966, outlining a plan for the administration of the Act by the Law Society. The suggested outline was subsequently discussed with the Attorney General by the Chairman of the Committee and the Treasurer of the Law Society in the afternoon of July 12th, 1966.

Your Committee also reviewed and approved a list of Headings for the proposed Regulations for the Legal Aid Act.

The Committee recommends that Mr. Charles Sale, Q.C., be asked to draft the Regulations and that he be paid an honorarium.

APPOINTMENT OF PROVINCIAL DIRECTOR

The Chairman of your Committee and the Treasurer of the Law Society attended on the Attorney General on July 12th, 1966 and consulted with him regarding the appointment of Andrew M. Lawson as the Provincial Director of Legal Aid. The Attorney-General approved the appointment and your Committee recommends that this appointment now be approved by Convocation.

ASSISTANT PROVINCIAL DIRECTOR

The Provincial Director received a letter from Mr. John Weisdorf, submitting his resignation as Assistant Provincial Director, to take effect August 15, 1966.

PROVINCIAL DIRECTOR'S ATTENDANCE ON LOCAL BAR ASSOCIATIONS THROUGHOUT THE PROVINCE

The Committee reviewed and approved an itinerary for the Provincial Director, who will attend on the President of each local Bar Association, the Local Legal Aid Director, County Judges, Magistrates and Crown Attorneys. The itinerary covers the period July 20, 1966 to October 6, 1966.

THE REPORT WAS ADOPTED.

RE: ASSISTANT PROVINCIAL DIRECTOR — JOHN WEISDORF

The Treasurer presented to Convocation a letter from Mr. Weisdorf dated 15th July 1966 submitting his resignation as Assistant Provincial Director of the Ontario Legal Aid Plan, effective August 15, 1966.

Moved by Mr. Levinter, seconded by Mr. Steele, that the resignation be accepted, and that the appreciation of the Treasurer and Benchers of the Law Society of Upper Canada be expressed to Mr. Weisdorf for his services.

Carried.

COMMITTEE MEMBERSHIP

Moved by Mr. G. A. Martin, seconded by Mr. W. S. Martin, that Mr. S. A. Caldbick, Q.C., of Timmins, and Mr. T. P. Callon, Q.C. be added to the Legal Aid Programme Committee.

Carried.

SPECIAL COMMITTEE ON SUPREME AND COUNTY COURT TARIFFS

Moved by Mr. Steele, seconded by Mr. Robins that Mr. B. J. MacKinnon, Q.C. be appointed a member of the Special Committee on Supreme and County Court Tariffs.

Carried.

OSGOODE HALL FENCE

The Treasurer referred to the negotiations with the City of Toronto Planning Board. Mr. M. B. M. Lawson, Commissioner of Planning asked for the estimates of cost to be brought up to date, the terms suggested by Mr. Arnup being acceptable assuming costs have not increased too much.

CONVOCATION THEN ROSE

Brendan O'Brien
Treasurer.

MEETING OF CONVOCATION

Friday, 16th September 1966
10:30 a.m.

Present:

The Treasurer, and Messrs. Ball, Beament, Bowlby, Bull, Callon, Cass, Chappell, Chitty, Clement, Creighton, Fennell, Ford, Goodman, Gray, Gregory, Harris, Howland, Levinter, Maloney, MacKinnon, McLaughlin, Raney, Robins, Roebuck, Sheard, Slemin, Steele, Strauss, Weir, Williston and R. F. Wilson.

The Minutes of the meetings of Convocation of 17th and 23rd June, and the 26th July, 1966 were read and confirmed.

Bencher

The Treasurer and Convocation extended congratulations to Mr. A. Grenville Davis, Q.C., who completed fifty years active practice at the Bar of Ontario on the 14th September 1966.

The Treasurer noted with regret the death on the 15th September 1966 of Mr. Leonard Brockington, Q.C. who occupied a unique position in the legal profession of Canada. He was a member of the Bar of Ontario since 1942.

Election of Bencher

Mr. Gordon Fripp Henderson, Q.C., of Ottawa was elected a Bencher to fill the vacancy caused by the appointment of Robert James Cudney, Q.C. to the Bench of the County Court of the County of Middlesex.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 15th day of September, 1966, at 3:30 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, and Messrs. Callon, Cass, MacKinnon, Sheard and Slemin.

BAR ADMISSION COURSE

FACULTY

The Director requests the approval of the Committee to the following appointments to the Faculty of the Bar Admission Course:

Real Estate & Landlord & Tenant

Mrs. Janet Boland, Q.C., as an instructor.
Mr. J. W. Huckle, as an instructor.
Mr. D. G. Friend, as a stand-by instructor.

Corporation Law

Mr. R. D. Wilson, as an instructor.
Mr. D. A. B. Steel, as an instructor.
Mr. H. J. Knowles, as an instructor.
Mr. A. H. Clairman, as a stand-by instructor.
Mr. S. Silver, as a stand-by instructor.
Mr. J. R. Weir, as a stand-by instructor.

Approved.

ADMISSION REQUIREMENTS — PRE-LAW QUALIFICATIONS

Convocation has approved the principle that where an applicant has been granted an approved LL.B. degree he will be accepted in the Bar Admission Course notwithstanding that he lacked the necessary entrance qualifications to begin the Course leading to the approved LL.B. degree. If an approved university makes the practice of admitting to the approved LL.B. Course students who have not the necessary qualifications then the question of withdrawing the approval of the LL.B. Course would be considered.

The Committee considered the case of a student who took two years in General Arts at the University of Toronto and on the strength of this was accepted into the University of Toronto Law School and was awarded the degree of LL.B. in 1966. He appears to have done the work for his degree extra-murally and his Arts transcript shows that the work was taken over a period of several years. The transcript of his law course states that he was admitted on the strength of "Arts (Extension) two years completed:. He had been accepted in the Arts Course without Grade 13.

Noted.

LEGAL AID

The new Legal Aid scheme in Ontario will shortly be in operation and will involve many more members of the profession than the old scheme did, particularly the younger members. It is suggested that a course explaining the new Legal Aid scheme be introduced in the Bar Admission Course, and the matter is before the Committee for consideration.

Approved.

PETITION — ATTA ULLAH MIAN

A third Petition from Mr. Mian is before the Committee together with a request that Counsel be allowed to address Convocation on the subject. The Petition dated the 25th of August, 1966, is before the Committee.

Your Committee recommends that the petition be refused.

OCCASIONAL STUDENT — LAW CLERK

A law clerk applies for permission to attend the Creditors' Rights and Bankruptcy section of the Bar Admission Course.

The applicant is a graduate of Grade 13 and is presently employed as a law clerk by a firm of solicitors in Hamilton. He will be attending two courses at McMaster Extension School.

The request is made in view of the absence of training facilities for law clerks in this country and in order to provide training at least in this specialized field to fit him for the work his employers wish him to do.

Your Committee recommends that the request be refused.

OSGOODE HALL LAW SCHOOL

SUPPLEMENTAL EXAMINATION RESULTS — AUGUST, 1966

The record of the returns of the examiners of the supplemental examinations, August, 1966, for all years, is submitted herewith:

FIRST YEAR

There were fifty-three (53) students who wrote these examinations and of that number thirty-nine (39) passed clear and have completed the work of their First Year and are entitled to proceed to the Second Year of the LL.B. course in September, 1966. There were thirteen (13) students who failed in one subject, and one student who failed in two subjects.

The Faculty has considered each of these failures individually and, on the basis of their academic record and medical and other evidence, two (2) students have been granted aegrotat standing in the subject in which they failed, three (3) students have been allowed the subject in which they failed to attain pass standing, one student has been allowed to repeat his year, and the remaining eight (8) have been asked to withdraw from the school.

SECOND YEAR

There were thirty-eight (38) students who wrote these examinations and of that number thirty-three (33) passed clear and have completed their Second Year. There were seven (7) students who failed in one subject.

The Faculty has considered each of these failures individually and on the basis of their academic record and medical and other evidence, four (4) students have been allowed the subject in which they failed to attain pass standing and one student has been allowed to repeat his year.

THIRD YEAR

There were six (6) students who were entitled to write the supplemental examinations in the Third Year of the LL.B. course and of these five (5) students will be entitled to receive their degree at the October Convocation. One student did not write one supplemental examination and he has been allowed to repeat the course and write the examination in October, 1966.

Received.

Admission of Special Students

The Faculty requests the approval of *Irvin H. Sherman* as a Special Student in the course of Labour Relations with examination privileges.

Mr. Sherman received his degree from Osgoode Hall Law School on 23rd June, 1966.

The fee recommended for this course is $50.00.

Approved.

The Faculty requests the approval of *John C. W. Lai* as a Special Student in the following courses with examination privileges:

Public International Law
International Organizations.

Mr. Lai is a graduate of the Department of Diplomacy, The National Chengchi University of Taipei, Taiwan, Republic of China and received a Bachelor of Laws Degree in July 1961.

The fee recommended for these courses is $100.00.

Approved.

The Faculty requests the approval of *Wallace Fram,* LL.B. (Toronto) of the Ontario Bar, as a Special Student in the course of Labour Law with examination privileges.

The fee recommended for this course is $50.00.

Approved.

The Faculty, at its meeting on 2nd September, requested that the application of *D. A. Docker,* Head of the Bankruptcy Squad of the R.C.M.P., be approved so that he may take the course, with examination privileges, in Creditors' Rights. It is further recommended that he be required to pay a fee of $50.00.

Approved.

APPROVAL OF DEGREES AND COURSES

The Faculty recommends approval of the course leading to the Degree of Bachelor of Arts, Tulane University, New Orleans, La.; course leading to the degree of Bachelor of Arts, Loyola University of Los Angeles, California; course leading to the degree of Bachelor of Arts, Mississippi State University, State College, Mississippi; course leading to the degree of Bachelor of Arts, Indiana University, Indiana (Bloomington); course leading to the degree of Bachelor of Arts, University of Sydney, Sydney, Australia; course leading to the degree of Diploma in Law, University of the Witwatersrand, Johannesburg, South Africa; courses leading to the degree of Bachelor of Arts and the degree of Bachelor of Laws, University of Rangoon, the Union of Burma, as meeting the admission requirements of the Osgoode Hall Law School.

Approved.

POST-GRADUATE STUDIES

The Faculty recommends that the degree of LL.M. be awarded to Douglas Alan Cameron Harvey for his thesis entitled "The Law of Habeas Corpus in Canada: an Evaluation".

Approved.

LEGAL WRITING PROGRAMME —TEACHING FELLOWS

The Committee is asked to confirm that the following have been appointed as Teaching Fellows,

G. S. Sharat Chandra
Richard A. W. Kidner
Rex Tedd.

Approved.

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

The Faculty requests the approval of the appointment of Professor Balfour Halevy as full professor as the Law Librarian, jointly at Osgoode and York.

Mr. Halevy would be able to assume his duties full-time on 1st March 1967, but would be present at least once a month until that time.

Mr. Halevy is currently law librarian at the State University of New York, Buffalo. He has an LL.B. (London) and M.L.S. (Columbia). He is a barrister-at-law of the Middle Temple and taught for three years at the University of Wales.

Approved.

CANADIAN BAR ASSOCIATION MEETING

The Committee is asked to approve the expenses for Professors Blanchard, Gray, Morton and Weiler attending the Canadian Bar Association meeting in Winnipeg. The matter arose when the Chairman, the Vice-Chairman and the Secretary were away on holidays.

Approved.

VISITING PROFESSOR

The Faculty requests approval of the appointment of Robert A. Samek as a visiting professor for one term from 1st July, 1967 to 31st December, 1967.

Mr. Samek is now head of the Department of Legal Studies at the University of Melbourne and has been teaching for fifteen (15) years. His specialty is Commercial Law and he is the author of a book on hire-purchase agreements and several articles in the Australian Law Journal, Canadian Bar Review and the Journal of the Society of Public Teachers of Law.

Your Committee recommends approval in principle of the appointment.

VISITING LECTURER — LAVAL UNIVERSITY AND UNIVERSITY OF MONTREAL — PROFESSOR JEAN GABRIEL CASTEL

A memorandum from the Acting Dean is before the Committee requesting that Professor Jean-Gabriel Castel be allowed to repeat his lectures at the Universities of Laval and Montreal in the academic session 1966-67. Professor Castel will meet his commitments here at Osgoode Hall Law School even though lecturing at the above mentioned universities. He will be away only at the week-ends.

Approved.

LAW SOCIETY SCHOLARSHIP FOR POST-GRADUATE STUDY — RONALD GEORGE ATKEY

A letter is before the Committee from Mr. Atkey in which he reports that he earned the degree of Master of Laws at Yale University and will be associated with Mr. Sydney L. Robins, Q.C., as a student under articles, and intends thereafter to become a law teacher. He expresses his thanks to the Society for enabling him to carry out his graduate studies.

Noted.

Moved by Mr. Howland that the Report be adopted.

After hearing counsel for petitioner Ata Ullah Mian, moved in amendment by Mr. Weir, seconded by Mr. Ball, that the Petition be allowed.

The amendment was lost.

The Report was adopted.

THE ADMISSIONS COMMITTEE——Mr. Sheard

Your Committee met on Thursday, the 15th day of September, 1966 at 3:00 p.m., the following members being present: Mr. T. Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Bull, Cass and MacKinnon.

ADMISSION OF STUDENTS-AT-LAW

BAR ADMISSION COURSE

Three hundred and forty-three candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of September 1, 1966.

Approved.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

BAR ADMISSION COURSE

The following candidates having successfully completed the Seventh Bar Admission Course, filed the necessary documents and paid the required fee of $210.00, now apply for Call to the Bar and to be granted a Certificate of Fitness:

Richard Harrison Barch
James Scott Peterson

Approved.

Transfer from another Province

The following candidate, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $210,00, now apply for Call to the Bar and to be granted a Certificate of Fitness:

Sarah Richter — Nova Scotia

Approved.

TRANSFERS TO PRACTICE IN ONTARIO

Your Committee considered applications to transfer to practice in Ontario, two from other common law provinces, one from Quebec, two from the United Kingdom, and four from other jurisdictions within the Commonwealth, and made recommendations thereon.

SPECIAL PETITIONS

Your Committee considered four petitions for special relief which were in each case granted.

REPORT OF THE EXAMINING BOARD

The report of the examinations held in September, 1966, is before the Committee. The following candidates have passed:

Alexander John Alliston
Basil Richard Cheeseman
Frederick Keith Turner

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Richard Harrison Barch
James Scott Peterson
Sarah Richter — Transfer — Nova Scotia.

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on Friday, the 17th day of June, 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Sheard (Vice-Chairman), Howland and Williston.

RE: LIBRARY COMMITTEE — *Equipment*

In its Report dated the 15th June 1966 the Library Committee recommended the purchase of three electric typewriters at an approximate cost of $1,192.98; and that the Chief Librarian be authorized to obtain suitable lighting equipment for the catalogue cabinet.

Convocation on the 17th June 1966 approved of the recommendation, subject to the approval of the Finance Committee.

Your Committee approves of these purchases as recommended.

Your Committee met also on Wednesday, the 14th September, 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Harris, Howland, Levinter, Slemin and Steele.

ACCOUNTS

The Secretary reports that from the 1st June to the 31st August 1966 accounts, including Library Accounts, properly approved, to the amount of $194,034.28 have been paid.

The Secretary also reports that from the 1st June to the 31st August 1966 Legal Aid accounts to the amount of $14,223.48 have been paid.

Noted.

ANNUAL FINANCIAL STATEMENT

The Annual Statement for the Year ending 30th June 1966, as certified by the auditors, Messrs. Clarkson, Gordon & Company, was considered.

Your Committee recommends that the statement, as submitted, be approved for presentation to Convocation and for publication pursuant to the Rules.

ANNUAL FEES

Your Committee recommends that the fee for membership in the Society for 1966-67 be $70.00, and that the Compensation Fund Levy be $65.00 — a total fee of $135.00.

ROLLS AND RECORDS

The Secretary reports:

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their names have been removed from the rolls and records of the Society:

E. Patrick Hartt, Q.C., Toronto	Called—25th June 1953; Appointed Judge, High Court of Justice, S.C.O., 22nd June 1966.
Robert J. Cudney, Q.C., Toronto	Called—20th June 1935; Appointed Junior Judge, County Court, Middlesex, 2nd August 1966.

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

Carl M. Herlick, Q.C., Toronto (Honorary Life Member)	Called—6th October 1915; Deceased—11th May 1966.
B. H. L. Symmes, Q.C., Toronto (Honorary Life Member)	Called—25th September 1914; Deceased 21st May 1966.
Jacob Goodman, Toronto	Called—21st October 1937; Deceased—6th June 1966
Harry B. Branscombe Q.C., Toronto	Called—18th January 1923; Deceased—11th June 1966.
G. M. Sinclair, Toronto	Called—20th March 1919; Deceased—11th June 1966.
Thomas M. Creighton, Q.C., Toronto	Called—20th March 1924; Deceased—4th July 1966.
A. Murray Garden, Q.C., Toronto (Honorary Life Member)	Called—20th September 1912; Deceased—11th July 1966.
J. Maitland Macintosh, Q.C., Toronto	Called—18th October 1923; Deceased—13th July 1966.
Edgar D. Smith, St. Thomas	Called—17th April 1924; Deceased—15th July 1966.
C. Lorne Fraser, Weston (Honorary Life Member)	Called—26th September 1912; Deceased—22nd July 1966.
George T. Inch, Q.C., Hamilton	Called—20th June 1923; Deceased—2nd August 1966.
Miss Ruby M. Campbell, Kincardine	Called—12th April 1962; Deceased—6th August 1966.
William Bohush, Windsor	Called—25th June 1959; Deceased—26th August 1966.
J. W. Payne, Q.C., Toronto (Honorary Life Member)	Called—5th June 1896; Deceased—29th August 1966.
C. W. Smyth, Q.C., Toronto	Called—16th October 1919; Deceased—29th August 1966.

Noted.

RESIGNATIONS

Your Committee, having considered the material filed under the relevant rule, recommends that the resignations of the following members be accepted:

Robert Austin Nicholas, Toronto—Called—17th September 1936.

Stewart Douglas Turner, Calgary—Called—15th September 1949.

COUNTY LIBRARIES GRANTS

The Chief Librarian presented a memorandum listing one Association which has sent in its annual return for 1965. The amount set opposite its name is the amount of the grant to which it appears to be entitled under the Rules, and which the County Libraries Committee will be asked to consider at its meeting on the 16th September 1966.

Approved.

CHANGE OF NAME

Gerald Peter Maich — By an Order of His Honour Judge Reynolds dated the 29th day of August 1966, the name of Gerald Peter Majic was changed to Gerald Peter Maich. He asks that the necessary changes be made on the rolls and records of the Society.

Your Committee recommends that the request be granted.

GROUP LIFE INSURANCE

By letter dated August 15, 1966 the National Life Assurance Company of Canada report that for the year beginning 1st August 1966 the premium rate will be decreased from .51¢ to .49¢ per thousand per month.

Noted.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Sept. 9—The Class of '41 requested the use of the Barristers' Lounge and Convocation Hall for their 25th Class Reunion Dinner.

Sept. 15—Legal and Literary Society request permission to use Convocation Hall for the reception for the First Year Students, 4-5:30-6 p.m.

Sept. 21—The Junior Bar, C.B.A. request permission to use the Barristers' Lounge and Convocation Hall for a dinner meeting, 5:30 for 6:30 p.m.

Sept. 23—Thomas More Lawyers Guild request the use of the Barristers' Lounge and Convocation Hall for dinner following the Red Mass.

Feb. 25/67—Phi Delta Phi Legal Fraternity request the use of the Barristers' Lounge and Convocation Hall for their initiation banquet.

Approved

THE REPORTS WERE ADOPTED.

DISCIPLINE COMMITTEE — Mr. Gray.

COMPENSATION FUND:

FINANCIAL SUMMARY

January 1, 1966 to June 30th, 1966

Balance on hand December 31st 1965		720,543.63
RECEIPTS		
Fees	51,700.00	
Bank Interest	3,217.66	
Investment Income	8,971.09	
Profit on sale of securities	31.25	
Recovery	12,941.17	
Prior years' adjustment	13.31	76,874.48
		797,418.11
DISBURSEMENTS		
Grants	294,279.44	
Reporters, transcripts, investigations, counsel fees	11,972.71	
Refunds	225.00	
Decrease in market value of securities	2,241.25	308,718.40
BALANCE IN FUND 30TH JUNE 1966		488,699.71

INVESTMENTS	*Par*	*Market*	*Book*
Gov't of Canada 5% 1968	20,000	19,890.00	20,100.00
Gov't of Canada 4½% 1983	50,000	43,437.50	50,000.00
Cdn. Nat. Railways 2⅞% 1969	20,000	18,625.00	19,800.00
Cdn. Imperial Bank of Commerce deposit receipts 5⅛% (two) August 15, 1966	400,000	400,000.00	400,000.00
	490,000	481,952.50	489,900.00

DETAILS

During the period 1st January 1966 to 30th June 1966 the Discipline Committee considered applications for grants from the Compensation Fund in respect of the defalcations of 11 former members of the Society. In each case where a grant was made your Committee was satisfied that a solicitor and client relationship existed and that the loss resulted from misappropriation by the solicitor. The applications were disposed of as follows:

APPLICATIONS PAID—1st January 1966 to 30th June 1966

re: L. A. Cavasin (disbarred June 27th 1963)
3 claims — 3,599.09

re: Thomas Charlebois (died May 13, 1965)
1 claim — 92.00

re: G. S. MacLean (disbarred May 17th 1963)
11 claims — 76,556.68

re: George Majic (disbarred December 14th 1962)
16 claims — 56,203.09

re: R. F. X. Marentette (disbarred June 28th 1962)
1 claim — 8,831.24

re: B. L. Ogryzek (disbarred April 19th 1963)
1 claim — 150.00

re: Lewis Raxlen (disbarred June 21st 1957)
1 claim — 4,590.00

re: Samuel Resnick (disbarred June 21st 1963)
24 claims — 137,674.08

re: Earl H. Slater (disbarred November 1st 1963)
5 claims — 6,583.26

TOTAL GRANTS JANUARY 1ST 1966-JUNE 30TH 1966 294,279.44

APPLICATIONS REFUSED OR WITHDRAWN

During the period January 1st 1966 to June 30th 1966, 17 applications totalling $117,457.64 were refused or withdrawn.

RECOVERY

re: David Shanoff	12,941.17
OUTSTANDING APPLICATIONS TO JUNE 30TH 1966	$824,307.61

It is likely that a proportion of these applications will fail to comply with the requirements of The Law Society Act, but it is impossible to tell what proportion will not result in grants from the Fund.

THE REPORT WAS RECEIVED.

GENERAL REPORT

Your Committee met on the 14th day of September 1966 at 4:00 o'clock in the afternoon, the following members being present: Mr. W. Gibson Gray, Chairman, and Messrs. Bowlby, Bull, Goodman, Harris, Howland, Levinter, Maloney, Slemin and R. F. Wilson.

COMPENSATION FUND

Your Committee recommends that the Compensation Fund Levy be set at $65.00 for the year 1966-1967.

ESTIMATES

The estimates for the Discipline Committee for the year 1966-1967 were considered and approved at $75,000.00.

RULES RESPECTING ACCOUNTS

Your Committee had before it correspondence with respect to the use by solicitors of the Bank of Nova Scotia Savings Certificates as a depository for trust funds, suggesting that these certificates were equivalent to bank accounts. The Committee instructed the Secretary to write to the Bank of Nova Scotia advising that a Savings Certificate did not comply with the requirements of Rule 1 of the Rules Respecting Accounts, and therefore could not be substituted for a trust bank account.

THE REPORT WAS ADOPTED.

RE: VICTOR DENNIS ALKSNIS, Toronto

Your Committee has reviewed its report to Convocation which led to the petitioner's disbarment in 1961 and considered carefully all of the evidence before it and the submissions made by Mr. Alastair R. Paterson, Q.C., the petitioner's counsel and recommends that he be reinstated.

Moved by Mr. Gray, seconded by Mr. Williston, that the Report be adopted upon Mr. Alksnis giving certain undertakings.

The motion was carried.

CONVOCATION ADJOURNED at 12:50 p.m.

CONVOCATION RESUMED at 2:40 p.m., a quorum being present.

RE: DANIEL WALTER BURTNICK, Toronto

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he failed to reply to letters from the Law Society in connection with complaints against his professional conduct, and recommended that he be suspended from practice as a Barrister and Solicitor for the period of six months from the 16th of September 1966.

It was moved and seconded that the Report be adopted.

The Solicitor did not attend nor was he represented by counsel.

The motion was carried.

IT WAS ACCORDINGLY ORDERED:

1. THAT the Report of the Discipline Committee in the matter of DANIEL WALTER BURTNICK, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said DANIEL WALTER BURTNICK guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

3. THAT the said DANIEL WALTER BURTNICK be suspended from practice as a Barrister and Solicitor for the period of six months from the 16th day of September 1966.

RE: LLOYD ALLISON FITZPATRICK, Toronto

The Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he failed to reply to letters from the Law Society in connection with complaints against his professional conduct; failed to maintain the books and records required by the Rules Respecting Accounts; failed generally to discharge his professional duties to his clients and did not file with the Society, on or before the 30th of November 1965, either a report duly completed by a public accountant or a statutory declaration setting forth that during the preceding 12 month period he did not handle or was not responsible for clients' trust funds or clients' valuables; and recommended that he be disbarred and struck off the rolls of the Law Society of Upper Canada.

It was moved and seconded that the Report be adopted.

The solicitor did not attend nor was he represented by counsel.

The motion was carried.

IT WAS ACCORDINGLY ORDERED

1. THAT the Report of the Discipline Committee in the matter of LLOYD ALLISON FITZPATRICK, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said LLOYD ALLISON FITZPATRICK guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said LLOYD ALLISON FITZPATRICK be disbarred.
4. THAT the said LLOYD ALLISON FITZPATRICK is unworthy to practice as a Solicitor.

PROFESSIONAL CONDUCT COMMITTEE — Mr. Fennell.

Your Committee met on the 7th of September 1966, at 10:30 o'clock in the morning, the following members being present: Mr. S. E. Fennell, Chairman, and Messrs. Bull, Callon, Ford, MacKinnon, Slemin and Strauss.

1. Ruling 2 — Acting for Both Sides

Correspondence was considered from a Solicitor who intends to join another solicitor in partnership but three or four actions are in progress in which he and his proposed partner are now on opposite sides. The Chairman wrote to the member pointing out that this would be in contravention of Ruling 2 and your Committee does not wish to add anything to the Chairman's letter.

2. Ruling 10 — Signs and Letterheads

At its meeting on the 9th of June, 1966, your Committee considered whether the words "Supreme Court, Parliamentary, Departmental Agent" should be exempt from Ruling 10. Your Committee directed that the County of Carleton Law Association and Mr. G. E. Beament, Q.C., be asked for their views. Mr. Beament has written giving his opinion that no such exception should be made and Mr. W. T. Green, the President of the County of Carleton Law Association has written giving his personal view in support of the one expressed by Mr. Beament and an unofficial one of some of the members of the Association. Your Committee has instructed the Secretary to inform the President of the County of Carleton Law Association that no exemption to Ruling 10 is contemplated in respect of the words and that they should not appear on a member's sign or letterhead.

3. Ruling 16 — Directories, Announcements and Professional Cards

At its meeting on the 9th of June 1966 your Committee recommended the appointment of a Sub-Committee to formulate principles under which publications may be approved under Ruling 16. Your Committee adopted the Sub-Committee's Report, as amended, and recommends it to Convocation. The Report is as follows:

"TO THE PROFESSIONAL CONDUCT COMMITTEE

1. On the 9th of June 1966, the Professional Conduct Committee recommended the appointment of a Sub-Committee to formulate the principles upon which publications may be approved under Ruling 16. On June 16th, Convocation approved the recommendation and the Chairman of the Professional Conduct Committee appointed — Mr. Nathan Strauss, Chairman, and Messrs. Goodman, Gray and Maloney.

2. Your Sub-Committee met on Tuesday the 16th of August 1966, at 2:30 p.m., the following members being present: Mr. Nathan Strauss, Chairman, and Messrs. Goodman and Gray.

3. After a full discussion during which consideration was given to the basis upon which the American Bar Association approves legal directories your Sub-Committee recommends the following with respect to applications for approval of publications under subsection 3 of Ruling 16:

1. that no fee be charged applicants whether they receive approval or not.
2. that applicants complete and submit to the Society a form including such particulars as may from time to time be required by the Society. It is recommended that the following be required by all applicants at this time:
    (1) the name of the publication
    (2) the name of the publishers
    (3) the name of the Directors of the Publishing Company
    (4) where published
    (5) how often published
    (6) the agreement of the applicant to comply with the Society's Rulings.
    (7) date of first publication
    (8) with respect to foreign publications whether there is a Canadian agent and if so the name and address of the agent.
    (9) the amount and basis of charges
    (10) what restrictions, if any, there are upon applicants for listing in the publication.

Your Sub-Committee recommends that a sample copy of the publication be supplied the Society with the application.

Your Sub-Committee also recommends that in granting approval under subsection 3 of Ruling 16, Convocation should have regard to the interests of the public and the profession and the standard of business conduct of the applicant.

All of which is respectfully submitted."

4. LEGAL AID

On the 15th of July 1966 the Treasurer wrote to the Chairman suggesting that the Committee consider drafting a Ruling relating to the conduct of members who participate in the new Legal Aid scheme. A copy of his letter was sent to each member of the Committee. Your Committee recommends that the matter stand until the Regulations have been drafted and the Plan is ready to go into operation.

5. MISCELLANEOUS

Your Committee considered ten letters from members raising various questions and has instructed the Secretary what replies to make in each case.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE — Mr. Steele.

Your Committee met on the 14th day of September, 1965, the following members being present: Messrs. Steele (Chairman), Strauss (Vice-Chairman), Chitty, Harris, Levinter, Maloney and Slemin.

ESTIMATES

Your Committee's estimate of expenditures for the year 1966-67 was approved at $87,000.00 for submission to the Finance Committee.

Night Librarians

Your Committee recommends that certain students be appointed to act as night librarians for the year 1966-67.

Library Staff

Your Committee reports that, as authorized, Miss Marjorie McLeod, B.A. and Mrs. Beryl Lea transferred from the

Phillips Stewart Library to the Great Library on July 1 and September 1, 1966 respectively.

Your Committee also reports that because of an increased work load, Mrs. Ethel Ross has been engaged to serve as typist in the cataloguing department on a full-time basis effective July 1, 1966.

Your Committee also reports that, as authorized, Miss Veronica McGuigan has been engaged as Library Assistant, effective July 1, 1966.

Your Committee regrets to report the resignation of Miss Catherine Court, B.A., who was hired as secretary on May 30, 1966, to accept a fellowship with Branksome Hall whereby she may pursue post-graduate studies at the University of Toronto while rendering services on the school staff. The Chief Librarian was authorized to hire a replacement.

Your Committee reports that Miss Eleanor Moore has commenced classes at the University of Toronto School of Library Science. Your Committee recommends that she be retained on the staff on a part-time basis.

Your Committee reports that an increase in staff with the need to maintain a proper line of authority now and in the future suggests that the status of the senior cataloguer, Miss Nieves Farin, should be raised to that of an Assistant Librarian. Your Committee therefore recommends that Rule 89 be amended to read:

> "There shall be Assistant Librarians under the supervision of the Chief Librarian as Convocation may from time to time decide."

Your Committee recommends that in the event of Mrs. Delores Phillips, cataloguer in the Phillips Stewart Library, desiring to transfer to the Great Library in the near future, the Chief Librarian be authorized to assimilate her services into those of the cataloguing department.

High Commissioner for Ceylon

Your Committee reports that His Excellency Mr. L. S. B. Perera, High Commissioner for Ceylon, paid a visit to the Law Society on July 25, 1966 to present to the Great Library the Legislative Enactments of Ceylon, Rev. ed., 1965. The Revised Statutes of Ontario, 1960 and subsequent annuals were, in turn, presented to His Excellency by the Chairman of the Library Committee.

Legal Periodical Digest

Your Committee reports that the Honourable Mr. Justice Edson L. Haines has donated volumes 1951-52, 1953-54, 1957-58 and 1959-60 of the Commerce Clearing House publication *Legal Periodical Digest* for use in the Great Library and shall be suitably thanked.

American Association of Law Libraries

Your Committee reports that, as authorized, the Chief Librarian attended the American Association of Law Libraries Annual Convention held in Los Angeles from June 30 to July 9, 1966. Your Committee recommends that her expenses be paid.

W. Earl Smith, Esq., Q.C.

Your Committee reports that on his retirement Mr. Smith donated sixteen volumes to the Great Library, including some present-day rarities: The Royal Tour of Canada, 1901; Coke on Littleton, 4th ed., 1639; the University of Toronto and its Colleges, 1827-1906; a History of the University of Toronto, by Wallace; as well as the Commonwealth and Empire Law Conferences of 1955 and 1960. Suitable thanks have been extended to Mr. Smith.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE — Mr. Ball

Your Committee met on the 16th day of September, 1966, the following members being present: Messrs. Ball (Chairman), Beament, Cass, Clement, Creighton, Fennell, Raney, Slemin, Steele, Strauss and Weir.

Annual Grants

Your Committee reports specially that the following law association having failed to file its annual report by the 31st day of January, has now filed its annual return for the year 1965 in accordance with Rule 104(1) and (2) and otherwise complied with the requirements of the Rules adopted from time to time by Convocation in relation to county libraries and recommends that grant be made to it as follows:

Peterborough	$1,300.50

Simcoe County Law Association

Your Committee reports that the Chairman of the Library Committee of Simcoe County Law Association has been in touch with the Chief Librarian to advise that its programme of bringing text books up to date is continuing. Your Committee further reports that on account of a weeding-out programme, this Association has arranged to forward various duplicate texts and reports to the Great Library for disposal to it and the Phillips Stewart Library. Your Committee recommends that the costs involved be taken up by the libraries concerned.

Inspection

Your Committee recommends that expenses incurred by the Chief Librarian on account of inspection of the county libraries of the Frontenac, Hastings and Prince Edward, Lindsay and Peterborough Law Associations be paid.

Basic Libraries

Your Committee reports that inquiries have been made concerning the urgent need of a minimum library for county law associations, many of which are considered to be inadequate. Your Committee reports further that it has requested the Chief Librarian to set up a record listing these requirements and their cost as soon as can conveniently be done.

Estimates

Your Committee's estimates of expenditures for the year 1966-67 were approved at $58,000.00 for submission to the Finance Committee.

THE REPORT WAS ADOPTED.

LEGISLATION AND RULES COMMITTEE — *Membership*

Moved by Mr. Sheard, seconded by Mr. Gray, that Mr. Howland be added to the Committee.

Carried

NOTICE OF MOTION

Mr. J. D. Bowlby, Q.C. gave formal notice of the following motion to be made at Convocation in October:

> "BE IT RESOLVED THAT the Degree of LL.B. be granted to those lawyers who on application can satisfy the Legal Education Committee that prior to entering and graduating from Osgoode Hall they were graduates of a Faculty of Arts, Law, Medicine or Engineering of an Ontario University, or held similar degrees from universities outside Ontario as are accepted by the Legal Education Committtee."

It was ordered that a copy of the Motion be sent to each Bencher.

CORRESPONDENCE

The Treasurer referred to the following correspondence:

In a letter to the Treasurer the Director of the Bar Admission Course requested that Convocation set the date for the Call to the Bar of the graduates of the Eighth Bar Admission Course.

The Treasurer announced, pursuant to Rule 8, that the Convocation would take place on Thursday, the 23rd March 1967.

Letter from Mr. S. E. Fennell, Q.C. dated 15th August 1966 advising that he is prepared to represent the Law Society on the National Professional Conduct Committee of the Conference of the Governing Bodies of the Legal Profession in Canada, replacing Mr. Peter Wright, Q.C.

The Treasurer announced that Mr. Fennell had been appointed to this Committee.

Letter from Miss Mary P. Mason, on behalf of her father, thanking the Treasurer and Benchers for the roses sent to Mr. G. W. Mason, Q.C. on the occasion of his birthday.

Letter from Mr. A. A. Macdonald, Q.C. of the 25th June 1966, thanking the Treasurer and Benchers for the flowers sent to him at the time of his recent illness.

ORDERED that the above letters be received and filed.

CONVOCATION THEN ROSE

Brendan O'Brien,
Treasurer

MEETING OF CONVOCATION

Friday, 21st October 1966
10:30 a.m.

PRESENT:

The Treasurer, and Messrs. Beament, Bowlby, Bull, Callon, Cass, Cassels, Chappell, Chitty, Clement, Common, Creighton, Fennell, Ford, Goodman, Gray, Gregory, Harris, Henderson, Howland, Levinter, Maloney, G. A. Martin, W. S. Martin, McCulloch MacKinnon, Raney, Robins, Seymour, Sheard, Slemin, Steele, Strauss, Thom, Weir, Williston and R. F. Wilson.

The Minutes of the Meeting of Convocation of the 16th September 1966 were read and confirmed.

The Treasurer welcomed Mr. Gordon F. Henderson, Q.C. who attended Convocation for the first time after his appointment as a Bencher in September.

ELECTION OF BENCHER

Mr. Francis John Lewis Evans, Q.C. of Hamilton was elected a Bencher to fill the vacancy caused by the appointment of Leslie M. Ball, Q.C. to the Bench of the County Court of the County of York.

The Treasurer spoke warmly of the contribution that was made to the work of the Society by His Honour Judge Ball while a Bencher.

SPECIAL COMMITTEE ON OSGOODE HALL FENCE

The Treasurer referred to the Special Committee concerned with the negotiations with the City of Toronto respecting the Law Society's frontage on Queen Street and the Osgoode Hall fence, and pointed out that when Mr. Arnup was authorized to act with Mr. Robinette he was referred to simply as "The Treasurer". He suggested that the position be made clear by Mr. Arnup being appointed by name, and that Mr. R. F. Wilson, the Chairman of the Finance Committee, be added as a member of the Special Committee.

It was so moved by Mr. Levinter, seconded by Mr. Gregory, that the Committee be composed by Messrs. Arnup, Robinette and R. F. Wilson, and that they be authorized to continue negotiations.

Carried.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, the 13th day of October, 1966, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Bull, Cass and Robins.

Call to the Bar and Certificates of Fitness

Transfers from Another Province

The following candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now apply for call to the Bar and to be granted Certificates of Fitness:

Alexander John Alliston	—	Quebec
Basil Richard Cheeseman	—	Alberta
Frederick Keith Turner	—	Manitoba

Approved.

Admission of Students-at-Law

Bar Admission Course

The following candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of September 1, 1966:

Under Transfer Regulations Nos. 4 and 5

344.	Watson, David Reilly	Quebec Barrister

Under Transfer Regulation No. 8

345.	Parker, F. Timothy	English Solicitor

Under Transfer Regulation No. 11

346.	Bhatti, Abrar Muhammad	Commonwealth Transfer

Under Bar Admission Regulations — Part II — No. 2

347.	Burns, John Sinclair	B.A. Alberta 1963; LL.B. Dalhousie 1966
348.	Mark, Robert Shing-Tak	3 yrs. Arts Sir George William & Dal. LL.B. Dalhousie, 1964.
349.	Schofield Jr., Edmund Louis	B.A. Toronto 1956; LL.B. Toronto 1959
350.	Winship, Alan Rutherford	B.A. Sask. 1955; LL.B. Queen's 1963.

Approved.

The Committee considered applications to transfer to practice in Ontario by lawyers from New Brunswick, British Columbia, Alberta, Scotland, Trinidad, England, India and Ceylon, and made recommendations thereon.

Full-Time Members of the Faculty Osgoode Hall Law School

Call to the Bar

It is the policy of Convocation to Call to the Bar and admit as solicitors members of the full-time Faculty of Osgoode Hall Law School whenever they have completed one year of teaching and have been reappointed for a second year, without examination and without fee.

The following members of the full-time Faculty ask to be called and admitted in accordance with this policy:

Professor Derek Mendes da Costa
Associate Professor Graham Eric Parker
Assistant Professor Paul Cronin Weiler

Approved.

Full-Time Members of the Faculty of Approved Law Schools

The following members of the Faculty of Law, Queen's University, ask to be called to the Bar and admitted as solicitors without examination under the statement of policy respecting full-time members of approved Law Faculties in Ontario approved by Convocation the 19th of February, 1960, upon payment of a fee of $200.

Professor Stanley M. Beck
Assistant Professor Innis Christie

Assistant Professor Bruce C. McDonald
Assistant Professor B. L. Adell.

Approved.

THE REPORT WAS ADOPTED

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 13th of October, 1966, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman and Messrs. Cass, Creighton, Sheard, Seymour, Thom and Weir.

BAR ADMISSION COURSE

FACULTY

The Director requests the approval of the Committee to the following appointments to the Faculty of the Bar Admission Course:

Estate Planning

A. Englander, Esq., as an Instructor
E. E. P. Iglar, Esq., as an Instructor
J. S. Hausman, Esq., as an Instructor
S. H. Levitt, Esq., as an Instructor
S. H. Martin, Esq., as a Stand-by Instructor
A. L. Naiman, Esq., as a Stand-by Instructor
M. A. Tikal, Esq., as a Stand-by Instructor

Civil Procedure I

M. A. Catzman, Esq., as an Instructor
B. A. Kelsey, Esq., as an Instructor
H. Margles, Esq., as an Instructor
J. Sopinka, Esq., as an Instructor
C. E. Evans, Esq., as an Instructor
W. A. Kelly, Esq., as a Stand-by Instructor
W. R. Maxwell, Esq., as a Stand-by Instructor

Civil Procedure II

B. Chernos, Esq., as an Instructor
D. J. MacLennan, as an Instructor
H. L. Morphy, Esq., as an Instructor
M. N. Ellis, Esq., as a Stand-by Instructor
W. D. Lilly, Esq., as a Stand-by Instructor
R. J. Wright, Esq., as a Stand-by Instructor

Approved.

OSGOODE HALL LAW SCHOOL

ADMISSION OF SPECIAL STUDENT

The Faculty requests approval of the application of Mr. L. V. Smith to attend, as a special student, the lectures in Criminal Law with examination privileges. The fee recommended is $100.00.

Mr. Smith is the Investigating Officer, Food and Drug Directorate, Department of Health and Welfare.

Approved.

LAW SCHOOL TEACHING STAFF

Part-time Teaching Staff

JAMES CAMERON BAILLIE

The Faculty recommends the appointment of Mr. J. C. Baillie to replace Mr. Justice Hartt to teach the course in Securities Regulations.

Approved.

ANNUAL MEETING OF THE ASSOCIATION OF UNIVERSITIES AND COLLEGES OF CANADA

The Acting Dean requests permission for Professors Hefferon, Mendes da Costa and himself to attend the Annual Meeting of the Association of Universities and Colleges of Canada in Ottawa on October 23-27, 1966.

Approved.

SCHOLARSHIPS

The Faculty requests the approval of the following scholarships to part-time students (LL.M. programme);

Maurice J. Coombs	$500.00
John L. McDougall	$500.00

Both these students received their LL.B. degree (Pass Class I) from Osgoode on 23rd June, 1966.

Approved.

DOCUSTAT SERVICES

The student body wishes to make arrangements to install a photographic reproducing machine in the Phillips Stewart Library. The one proposed is a 'Docustat' which is installed and maintained free of charge. The cost of reproduction is ten cents per page.

A draft contract is before the Committee.

Approved in principle, subject to a suitable contract being approved by the Chairman and the Acting Dean.

THE REPORT WAS ADOPTED

COMMITTEE MEMBERSHIP

Mr. Gordon F. Henderson, Q.C. was appointed to serve on the following Committees: Finance, Legal Education, Discipline, and Public Relations.

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the Degree of Barrister-at-law was conferred upon them by the Treasurer:

Alexander John Alliston — Transfer — Quebec
Basil Richard Cheeseman — Transfer — Alberta
Frederick Keith Turner — Transfer — Manitoba

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on Thursday, the 13th October 1966, the following members being present: Messrs. R. F. Wilson (Chairman), Sheard (Vice-Chairman), Gray, Harris, Howland, Slemin, Steele and Weir.

ACCOUNTS

The Secretary reports that from the 1st September to the 30th September 1966 accounts, including Library Accounts, properly approved, to the amount of $95,208.47 have been paid.

The Secretary also reports that from the 1st September to the 30th September 1966 Legal Aid accounts to the amount of $2,877.10 have been paid.

Noted.

ESTIMATES, 1966-67

An estimate of the probable receipts and disbursements for the year 1966-67 is submitted herewith and recommended for approval.

ROLLS AND RECORDS

The Secretary reports:

(1) *Appointment to the Bench*

That the following former member of the Law Society has been honoured in his appointment to judicial office, and his name has been removed from the rolls and records of the Society:

L. M. Ball, Q.C. Woodstock	Called—15th November 1934 Appointed Junior Judge, C.C. C. York — October 11, 1966.

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

J. F. Twigg, Q.C., Windsor	Called—9th September 1916; Deceased — 8th August 1966
L. W. Brockington, Q.C. Toronto	Called—19th February 1942; Deceased — 15th September 1966

(3) *Disbarment*

That the following former member of the Law Society has been disbarred and struck off the rolls, and his name has been removed from the rolls and records of the Law Society:

L. A. Fitzpatrick, Toronto	Called — 18th March 1954; Disbarred — 16th September 1966

Noted.

KEYSORT CARD INSTALLATION

The Committee is asked to ratify the approval given by the Chairman for the expenditure of approximately $280.00 to instal a keysort card system to enable the Society's auditors to keep track more accurately and easily of the annual reports members are required to submit relating to their books and records.

Approved.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for the following functions:

Oct. 28 — Osgoode Hall Legal & Literary Society ask permission to use Convocation Hall and the Cafeteria for the "Hall Fall Ball".

Nov. 15 — Junior Bar Association ask permission to use Convocation Hall and the Lawyers' Lounge for a dinner meeting.

Nov. 18 — Mr. F. R. Hume, Q.C., on behalf of the Graduating Class of 1936, asks permission to use Convocation Hall and the Barristers' Lounge for their Class Reunion Dinner.

Nov. 24 — County of York Law Association ask permission to use Convocation Hall and the Barristers' Lounge for a dinner meeting.

Oct. 12 — Bankruptcy Subsection, Toronto Branch, C.B.A. request permission to use the Barristers' Lounge for an evening meeting.

The Wills and Trusts Subsection, C.B.A., request permission to reserve Convocation Hall and the Barristers' Lounge for dinner meetings on the following dates:

October 25th and November 22nd, 1966.
January 17th, March 21st, and May 16th, 1967.

The Taxation Subsection, Ontario Branch, C.B.A. request permission to reserve the Barristers' Lounge at 7:30 p.m. during the 1966-67 season on the following dates:

November 10th, 1966;

January 11th, February 8th, March 8th, April 12th May 10th, 1967.

Approved.

THE REPORT WAS ADOPTED

PROFESSIONAL CONDUCT COMMITTEE — Mr. Fennell.

Your Committee met on the 13th day of October 1966, the following members being present: Mr. S. E. Fennell, Chairman, Mr. W. G. Gray, Vice-Chairman, and Messrs. Bull, Callon, Dubin, Ford, Goodman, Gray, Howland, Maloney, Slemin and Strauss.

1. RULING 2 — ACTING FOR BOTH SIDES

A solicitor asked your Committee's advice on the following problem: he was consulted by a husband and wife with respect to an Agreement of Purchase and Sale which the husband alone had signed as purchaser. Instructions at the time of consultation were given to the solicitor that the property was to be held jointly. Subsequently the husband telephoned the solicitor to advise that the property should be in his name only and to uses. The solicitor sought your Committee's guidance with respect to whether he should tell the wife of the change in instructions as to how title was to be taken or whether he should advise both husband and wife that they should see other solicitors. Your Committee referred the solicitor to the provisions of Ruling 2 of the Professional Conduct Handbook, and pointed out that unless the husband consented to have the Deed taken as originally stipulated, the solicitor should advise the husband and wife to retain separate solicitors.

2. RULING 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee had before it a letter from a member of the law department of the Bell Telephone Company of Canada asking if there would be objection to lawyers in French speaking localities listing under "Avocats" as well as "Lawyers" in the yellow pages of the Telephone Book. Your Committee advised the solicitor that by listing under both "Avocats" and "Lawyers" a solicitor would not be considered in breach of Ruling 16.

The question was put before your Committee as to whether the Society should insist on the termination of a professional card in an unauthorized publication forthwith or permit the publishing contract to expire in due course. Your Committee expressed the opinion that the publication of the card should be permitted until the contract's termination date.

3. PROFESSIONAL CONDUCT HANDBOOKS

Your Committee was advised that the supply of Professional Conduct Handbooks has been reduced to approximately 250 whereas the enrolment in the Bar Admission Course of September 1965 is 286. Your Committee recommends that the supply of Handbooks be replenished and in order to obtain an economical price the amount ordered be one thousand copies.

4. MISCELLANEOUS

(a) In December 1965 your Committee had before it correspondence about the Judgment of the Senior Master in *Ely v. Rosen* 1963 O.R. 47. The case concerned an application by solicitors for an order that they had ceased to act for a defendant and the Senior Master found that such an application must be supported by material showing the particular facts which warrant the solicitor ceasing to act.

The Committee considered whether a solicitor seeking to withdraw under Rule 394 can disclose facts in an affidavit supporting his application which are privileged. The Committee suggested that it would be preferable for him in his affidavit to declare upon his honour as a solicitor that he cannot continue to act because of facts known to him but privileged.

Convocation directed that the question be brought to the attention of the Rules Committee together with this Committee's suggestion. A letter from the Chief Justice of the High Court is before the Committee. He suggests that the matter might be solved by having the solicitor who wishes to withdraw disclose the privileged facts in an affidavit which would be placed in a sealed envelope and placed with the application. Rule 394 might be amended to provide that only the Master hearing the application might peruse the affidavit and then leave it in the file. His Lordship asks the Committee's view of this suggestion. After some deliberation your Committee is of the opinion that the client's privilege should be maintained and that there should be no exception to it.

Moved by Mr. Fennell that the Report be adopted.

Moved by Mr. Ford, seconded by Mr. Gregory, that paragraph 4(b) of the Report be referred back to the Committee.

The amendment was carried.

The Report as amended was adopted.

ORDERS

The Secretary placed before Convocation the following Orders which are entered on the Minutes of Convocation:

IN THE SUPREME COURT OF ONTARIO

IN THE MATTER OF LLOYD ALLISON FITZPATRICK a Barrister-at-Law and one of the Solicitors of the Supreme Court of Ontario, AND IN THE MATTER OF The Law Society Act.

WHEREAS it has been certified by the Assistant Secretary of the Law Society of Upper Canada to the Registrar of the Supreme Court of Ontario that the Benchers of the said Society did on the 16th day of September 1966 disbar the said Barrister-at-law and resolve that he is unworthy to practise as a Solicitor.

THEREFORE this Court doth Order that the said LLOYD ALLISON FITZPATRICK be struck off the Roll of Barristers and Solicitors of this Court.

DATED this 16th day of September 1966.

"Gordon F. Beddis"
Registrar,
Supreme Court of Ontario

Entered at Toronto
Recorded
on File No. 136
as Document No. 223
Sep 30 1966. ST.

IN THE SUPREME COURT OF ONTARIO

IN THE MATTER OF DANIEL WALTER BURTNICK, a Barrister-at-Law and one of the Solicitors of the Supreme Court of Ontario, AND IN THE MATTER OF The Law Society Act.

WHEREAS it has been certified by the Assistant Secretary of the Law Society of Upper Canada to the Registrar of the Supreme Court of Ontario that the Benchers of the said Society did on the 16th day of September 1966 suspend the said Barrister-at-law for a period of six months from the 16th day of September 1966.

THEREFORE this Court doth Order that the said DANIEL WALTER BURTNICK be suspended from practice as a Barrister and Solicitor for a period if six months from the 16th day of September 1966.

DATED this 20th day of September 1966.

"Gordon F. Beddis"
Registrar,
Supreme Court of Ontario

Entered at Toronto
Recorded
On File No. 136
as Document No. 267
on Sep 20 1966. ST.

LIBRARY COMMITTEE — Mr. Steele.

Your Committee met on Thursday, the 13th day of October 1966, the following members being present: Mr. Steele (Chairman), Mr. Strauss (Vice-Chairman) and Messrs. Harris, Maloney, W. S. Martin and McCulloch.

LIBRARY STAFF

Your Committee reports that *Miss Paula Jane Stephens* has been engaged as Secretary effective September 19, 1966.
Approved

Your Committee approves the temporary engagement of Mr. Shi-Sheng Hu in the capacity of Cataloguer for the period of approximately one month.

COST OF BINDING

On September 20th Mr. K. M. Barnett, Sales Representative of the Carswell Company Limited, advised that effective immediately binding would be increased in price from $4.15 to $4.65 per volume, including stamping. The Company claims that the "continued increase in the cost of material and labour has forced them to make this adjustment."

The price has increased from $3.60 in 1958, or $1.05 per volume over a period of eight years. The Company reminded us that they maintain a high standard of workmanship, and stated that in special circumstances where we can provide them with large quantities of rebinding in consecutive series, negotiations may be made for a special reduced price.

Your Committee recommends that the Chief Librarian be authorized to continue the binding programme with Carswell Company Limited.

SURVEY OF LAW LIBRARIES IN CANADA

Copies of the letter of W. A. MacKay, Esq., Chairman of the Legal Education and Training Section, Canadian Bar Association, to the Treasurer of the Law Society, along with the Feasibility Report presented to that body concerning the proposed national survey of law libraries, have been forwarded to each member of the Library Committee for his information and assistance in making a decision on the Society's support in principle of the survey, and its commitment of financial support up to $500.00.

Your Committee recommends that the Law Society support in principle the Survey of Law Libraries of Canada, and to pay up to the sum of $500.00 towards the financial support of such survey.

YORK COUNTY LAW ASSOCIATION

The Great Library has been given a list of volumes available from the York County Law Library by reason of its move from the old City Hall to the York County Court House. The Chief Librarian requests authority to make a selection from the list of volumes that might prove useful in either the Great Library or the Phillips-Stewart Library.

Approved

BOOKS SUGGESTED LIST

Your Committee recommends that the Chief Librarian submit an Acquisition List to the Committee in lieu of the list of all available publications heretofore used.

SPACE

In view of the necessity of accommodating Discipline Committee meetings in more suitable quarters, it has been proposed that Rooms 117 and 118 which now contain the Riddell Library and the Great Library Canadiana collection, be taken for this purpose.

The Chief Librarian was authorized to permit the use of Rooms 117 and 118 by the Discipline Committee, subject to her making the necessary arrangements.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE — Mr. Weir.

Your Committee met on the 13th day of October 1966, the following members being present: Mr. S. E. Weir, Chairman, and Messrs. Beament, Callon, Chappell, Creighton, Ford, W. S. Martin, Seymour, Steele and Strauss.

1. EUROPEAN NOTARIES AND NOTARIES PUBLIC

Your Committee has been for some time concerned with allegations that Notaries Public and European Notaries Public in particular have been engaged in practising in various fields of law. Your Committee recommends the appointment of a Sub-Committee composed of the Chairman and Messrs. Ford, Chappell and Strauss, to consider the problem of Notaries, and of European Notaries in particular, and the possible revision of The Notaries Act, R.S.O. 1960, Chapter 263, to assist in alleviating the problem.

2. ONTARIO MOTOR LEAGUE

Your Committee has had brought to its attention a brochure of the Ontario Motor League with particular references to legal services offered by the League to its members. Your Committee recommends the appointment of a Sub-Committee composed of the Chairman and Messrs. Levinter and Steele to deal with the matter.

THE REFORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE — Mr. Harris.

Your Committee met on Tuesday, the 13th day of October 1966, the following members being present: Messrs. Beament, R. Cass, Creighton, Harris, W. S. Martin, Seymour, Slemin, Steele, Strauss and Weir.

ELECTION OF CHAIRMAN

Mr. H. E. Harris, Q.C., was elected Chairman of the Committee, replacing Mr. L. M. Ball, Q.C., who has been elevated to the Bench.

LAW SOCIETY RULES

On checking various returns for 1965, it became apparent that some of the County Law Associations are either not following or were unaware of the Rules as amended to date. Accordingly the Chief Librarian will prepare and forward to each Association copies of the Rules governing County Libraries, together with other papers pertaining to 1966.

Approved

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE — Mr. W. S. Martin.

Your Committee met on Thursday, the 13th day of October, 1966, the following members being present: Messrs. Goodman, Gray and Weir.

ELECTION OF A NEW CHAIRMAN

It was moved by Mr. Gray and seconded by Mr. Weir, that W. S. Martin, Esq., Q.C., be the Chairman, and E. A. Goodman, Esq., Q.C., the Vice-Chairman, which was carried.

ESTIMATES

Estimates were approved.

CENTENNIAL PROJECT

Your Committee recommends that the Society, as a centennial project, commission the preparation of a history of the profession in Ontario and in addition establish a series of special lectures on this history to be given in law schools in Ontario.

LAW SOCIETY PUBLICATION

Your Committee recommends that the Society institute a publication similar to the Gazette published by the Law Society in England as a better means of communication between the Society and the profession and that detailed proposals including costs, be considered by your Committee and later reported to Convocation.

Your Committee received a report from the former Chairman on the National Meeting of the National Institute on Bar Public Relations which took place during the Meeting of the American Bar Association in Montreal in August last.

Your Committee considered a letter from F. D. Wilson, Esq., of Windsor, who enclosed a clipping from the Detroit Free Press showing the kind of advertisement the State Bar of Michigan has used.

The Secretary will thank Mr. Wilson and communicate the views of the Committee to him.

THE REPORT WAS ADOPTED.

CONTINUING EDUCATION COMMITTEE — Mr. Robins.

Your Committee met on Thursday, the 13th October 1966, the following members being present: Mr. Robins (Chairman), Mr. Gray (Vice-Chairman), and Messrs. Bull, Cass, Howland, Maloney, Slemin and Thom.

Estimates 1966-67

Your Committee approved estimates for the year 1966-67 for submission to the Finance Committee.

Continuing Education 1966 —

"Recent Developments in the Law"

The total number registered for the special course of lectures this year was 600. Approximately 48% of the profession registered were from outside the Metropolitan Toronto area, and covered the Province generally. The usual buffet luncheons were held on each Saturday. Richard DeBoo Limited printed the lectures and copies have been distributed to all those who registered for the course. Copies at a special price were supplied to the Law Society for its subscribers, the Great Library, County Law Associations, and law students enrolled in approved Law Schools in Ontario. The general sale price is $17.50. The lecturers were each given an honorarium of $200, and the expenses of out of town lecturers were paid. Richard DeBoo again provided the Secretary with a sufficient number of copies so that one could be presented to each of the other Canadian Law Societies, the Law Society of England, and certain selected law libraries.

The Financial statement in connection with the lectures for 1966 is as follows:

Receipts—600 registrations @ $15.00		$9,000.00
Disbursements		
Ontario Reports notices	$ 107.58	
Travelling expenses	102.00	
Catering	2,414.70	
Caretaking & refreshment lounge	147.59	
Honoraria	1,600.00	
Rental—Coat racks	154.50	
Richard DeBoo Limited	2,099.25	6,625.62
Excess of Receipts over Disbursements		$2,374.38

LECTURES ON LAW OFFICE MANAGEMENT

The Chairman reported that consideration had been given to lectures on Law Office Management, which would be in addition to the regular annual series of lectures.

SPECIALIST COURSES

The Professional Conduct Committee considered the question of courses leading to specialist qualifications for members of the Bar, and considered that the matter was one for the Continuing Education Committee. Your Committee considers the matter to be an important one, and recommends to Convocation that a special committee be appointed to investigate and report on all aspects of specialization in the practice of law.

CONTINUING EDUCATION LECTURES — 1967

Your Committee recommends that the subject for the lectures to be given in 1967 be "RECENT DEVELOPMENTS IN THE LAW — PART II"; that they be given on March 10th and 11th, and March 17th and 18th, 1967. Your Committee will report at a later date on a detailed programme.

THE REPORT WAS ADOPTED.

LEGISLATION AND RULES COMMITTEE —

Mr. R. F. Wilson

Your Committee met on Thursday, the 13th of October, 1966, the following members being present: Mr. R. F. Wilson, Chairman, and Messrs. Robins, Sheard and Thom.

The Estimates for the year 1966-67 were considered and approved.

At its meeting on the 16th of June 1966 your Committee recommended and Convocation subsequently adopted the recommendation that W. B. Common, Esq., Q.C., be retained to assist your Committee in drafting a new Act or Acts to replace the present three Legal Acts. The work is proceeding.

THE REPORT WAS ADOPTED.

Mr. Common took no part in the discussion, and did not vote.

SPECIAL COMMITTEE ON SUPREME AND COUNTY COURT TARIFFS — Mr. Steele.

At the meeting of Convocation on the 19th of February 1965, it was resolved that the Treasurer appoint a Special Committee on Supreme and County Court Tariffs. The Treasurer appointed a Special Committee consisting of Messrs. Steele, Chairman, and Messrs. Gray, Robins, Starr and Williston.

Your Committee met on the 19th of March 1965, the 16th of June 1965, the 7th of October 1965, the 17th of November 1965 and the 4th of January 1966. At four of the meetings, four members were present and at the other, three members were present.

Following its first meeting, your Committee published a notice in the Ontario Reports informing the profession that a Committee had been appointed and would be glad to receive submissions from County and District Law Associations or individual members of the Bar.

Your Committee previously reported to Convocation on the 21st day of January, 1966 and at that time its report was referred back for further consideration. Your Committee subsequently held meetings on the 16th of February 1966, the 13th of April 1966 and the 20th of September 1966. On the occasion of the last meeting, Mr. Bert MacKinnon, Q.C., sat with the Committee, having been appointed as a member at the July 1966 Convocation to replace Mr. R. Nelles Starr, Q.C.

Your Committee has had before it copies of the relevant tariffs of the other Canadian provinces, letters from legal firms and individual members of the Bar, submissions from Essex, Hamilton, Peel and York County Law Associations and the Ontario Section of the Canadian Bar Association and one of its committees. The late Mr. R. H. Sankey, Q.C., Taxing Officer of the Supreme Court of Ontario, was good enough to give almost an entire afternoon to present his views. Your Committee was most appreciative of the time and assistance given by Mr. Sankey and is most grateful to the Law Associations and members of the Bar who have assisted in its deliberations.

Your Committee has gone over representations referred to above and finds a wide variety of requests and suggestions. There appears to be a general consensus that a number of increases in the tariffs of the Supreme Court and of the County Court should be provided but there is no unanimity in the representations received as to the details of these. Under these circumstances, your Committee considers that it should not sort out some of the representations only to be passed on to the Rules Committee and recommends that all these representations should be made available to the Rules Committee along with this report.

Your Committee considered the possibility of fixing tariff items for cases involving various amounts of money but did not adopt this system, and recommends instead a wider discretion in the Taxing Officer with respect to certain items.

While your Committee considers that increases should be made generally, there are certain specific items on which it wishes to make recommendations. These are as follows:

(a) Fees in the Master's Office, including mortgage actions — your Committee recommends the amendment of these fees in accordance with the suggestion of the County of York Law Association as follows:

24. Fees on references not otherwise provided for.	
Preparation fee:	
In mortgage references where plaintiff's claim does not exceed $5,000	15.00
Subject to increase where justified by the importance of the matter and the work involved to an amount not exceeding $35.	
Adding parties:	
First party added	15.00
Each additional party added	10.00
Attendance fee:	
Upon all ex-parte attendance before Master	10.00
Upon appointment to propound scheme in references under The Mental Incompetency Act, including any adjournments	40.00
Subject to increase in discretion of the Taxing Officer at Toronto to $75.	
Upon all other attendances before Master per hour	15.00
(No fee to be allowed on attendance merely to file documents in the Master's Office.)	
Report (including attendance signing report):	
In mortgage references where plaintiff's claim does not exceed $10,000	15.00
In all other references	15.00
Subject to increase where justified by the importance of the matter and the work involved to an amount not exceeding $50.	

In addition to the above fees there may be allowed in a sale action:

Preparing conditions of sale and advertisement	25.00

(b) Preparation for trial — the tariff should be amended by deleting specific amounts and giving the Taxing Officer authority to fix costs in his discretion, having regard to the amount involved and importance of issues.

(c) Examinations for Discovery — separation of fees for preliminary items and for counsel fees should be eliminated and the Taxing Officer should have authority to fix costs on Examination for Discovery in his discretion.

(d) Counsel fee at trial — provision should be made for a counsel fee at trial or on settlement or on acceptance of any sum paid into court, in the sum of $150.00, with provision for increased counsel fee and fee to junior counsel in the discretion of the Taxing Officer at Toronto.

(e) Appeals to the Court of Appeal — fee for statement of points of law and fact intended to be argued should be increased to $40.00, subject to increase by the Taxing Officer at Toronto to $250.00.

(f) Disbursements — the tariff should provide for payment of all proper disbursements for the purpose of an action to be added to the taxed costs and that fees paid witnesses, including expert witnesses, be revised to conform with actual costs and that the class of expert witnesses be enlarged to include all persons qualified to give expert evidence.

Your Committee also recommends that certain new items be included in the tariff as follows:

(a) Fee on production — fee on production should be allowed in the discretion of the Taxing Officer.

(b) Preliminary items before an administrative tribunal — provision should be made for fees for all preliminary matters in contentious issues before administrative tribunals and for payment of all necessary disbursements in connection therewith, the fee to be in the discretion of the Taxing Officer having regard to the difficulty of the matters involved.

(c) Matters where the amount involved is not ascertainable — County Court Judges should be empowered to award Supreme Court costs in applications involving Mental Incompetency Declaration, Custody of Infants, etc.

(d) Costs of taxation — provision should be made to empower the Taxing Officer to grant costs in connection with taxation of Bills of Cost.

The matter of correspondence is referred to in several places in the tariffs. Your Committee recommends that these items be combined in one item covering correspondence in all matters, including appeals, and that an allowance be made of $5.00, subject to increase in the discretion of the Taxing Officer to $35.00.

Your Committee recommends that the Rules Committee be asked to consider the principles to be applied in the taxation of costs of a counter claim, in the light of the judgments in Simpson vs. McGee (1964) 1 O.R. 31 and Limon vs. London (1964) 2 O.R. 96; 235.

In connection with the County Court tariff your Committee recommends that costs be revised on a basis similar to that which may be adopted for the Supreme Court tariff but that counsel fees in all cases be in the discretion of the Taxing Officer.

Your Committee recommends that the Rules Committee consider giving to Taxing Officers in certain other localities concurrent jurisdiction with the Taxing Officer at Toronto as to discretionary power to increase fees.

In the districts of Northern Ontario, Division Court jurisdiction extends to $800.00 as contrasted with $400.00 in Counties. This matter should be brought to the attention of the Rules Committee so that any adjustments that may be deemed desirable may be made.

THE REPORT WAS ADOPTED.

INTERPROFESSIONAL LIAISON COMMITTEE —

Mr. Howland.

Meetings of the Interprofessional Liaison Committee were held on April 14, 1966 as the guests of the Association of Professional Engineers; on June 20th, 1966 as guests of the Ontario Dental Association; and on October 13th, 1966 as guests of the Ontario Veterinary Association.

VOCATIONAL GUIDANCE SUMMER COURSES

The Committee co-operated once again with the Department of Education in providing a panel discussion respecting the professions and their future trends on July 20th, 1966 under the chairmanship of Rolland Fobert, the Assistant Superintendent of the Curriculum Division. Mr. Peter Wright, Q.C., represented the Legal Profession. The Department was high in its praise of the panel discussion. A similar panel discussion took place on August 2nd, 1966 for the Fourth Year of the Summer Courses in Career Guidance following the three week period the teachers spent with various industries in Metropolitan Toronto. Your Chairman participated in the planning for the visits to industry as a member of the Committee sponsored by the Board of Trade of Metropolitan Toronto. Mr. R. J. Roberts, Q.C., represented the legal profession at the second panel session. During August 2nd and August 3rd representatives of eight of the professions each gave a one hour presentation regarding their respective professions. Mr. R. J. Roberts, Q.C., was also in charge of the presentation for the legal profession.

PROFESSIONAL ETHICS

The April meeting of the Committee was devoted largely to a discussion of professional ethics including such matters as restrictions on letterheads, professional cards and signs, insertions in telephone directories and prohibition against advertising. It was noted that both the medical and dental professions have laid down criteria by which members of their professions may be designated as specialists in certain fields. The restrictions on radio and television appearances were also discussed.

COLLECTIVE BARGAINING

It was noted that the brief of the Steering Committee on Negotiation Rights had been handed to Premier Robarts and the Committee had been informed that the brief would not be considered before the next meeting of the Legislature. A Committee of the Ontario Medical Association has proposed that supplementary letters patent be obtained to allow the Association to bargain collectively on behalf of its members and that the salaried physicians be asked if they would like the Association to bargain on their behalf. The legal aspects with respect to the self-employed physicians were also to be considered. A similar report by a committee of the Canadian Medical Association was referred back to the Committee by the Council.

Discipline

The October meeting of the Committee was largely devoted to a comparison of disciplinary procedures. It was noted that the Royal College of Dental Surgeons has been empowered to assess monetary penalties. A Committee has been established in Manitoba to study the disciplinary procedures of the various professions with a view to establishing uniform rules.

Officers

The officers of the Committee for the ensuing year are:—

Chairman — Dr. V. C. R. Walker, Ontario Veterinary Association.

Vice-Chairman — Dr. F. H. Shepherd, Ontario Dental Association.

Secretary — Dr. Glenn Sawyer, Ontario Medical Association.

THE REPORT WAS ADOPTED.

Remembrance Day Services

The Treasurer appointed, as a Special Committee to make the necessary arrangements for the observance of Remembrance Day, Messrs. Cassels and Ford.

Correspondence

The Treasurer read the following correspondence:

Letter from Mr. S. G. Davey, Chief Inspector, The Real Estate and Business Brokers Act, suggesting that complaints concerning real estate trading activities or any inquiries relating to licensed brokers and salesmen, be directed to the Registration and Examination Branch of the Department of the Attorney General. The Treasurer suggested that a notice to the above effect be inserted in the Ontario Reports.

Convocation approved.

MOTION

Moved by Mr. Bowlby, seconded by Mr. McCulloch —
BE IT RESOLVED THAT the Degree of LL.B. be granted to those lawyers who on application can satisfy the Legal Education Committee that prior to entering and graduating from Osgoode Hall, they were graduates of a Faculty of Arts, Law, Medicine or Engineering of an Ontario University, or held similar degrees from Universities outside Ontario as are accepted by the Legal Education Committee.

Moved by Mr. Howland, seconded by Mr. Levinter, that consideration of Mr. Bowlby's motion stand to the November Convocation.

Mr. Robins raised the point that it would be out of order to deal with this motion while the matter stood referred to the Legal Education Committee.

It was carried that all matters arising from the motion stand adjourned to November Convocation.

CONVOCATION ADJOURNED AT 12:40 P.M.

The Treasurer and Benchers entertained at luncheon The Honourable Mr. Justice Evans, Professor Alan Mewett, Acting Dean of Osgoode Hall Law School, and Professor Donald B. Spence, Q.C.

A Special Meeting of Convocation was held at 2:30 p.m., a quorum being present.

The Treasurer, Benchers, their guests, and members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded to Convocation Hall and took their places on the dais.

The body of the Hall was occupied by the graduating students and scholarship and prize winners of the First and Second Years, their families and friends.

CONFERRING OF DEGREES

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee, requested the Treasurer to confer upon the following candidates who had completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws. The Dean presented the candidates and the Treasurer conferred the degrees:

David Casson Bell
Robert Leopold Burton
Earl Robert Cranfield
James Patrick Devlin
William Paul Grant
William Alexander Pearce
Stephen Paul Peter Ponesse
Sheldon Robins
Indrek Uukkivi
Lola Natalie Waldman
Robert Douglas Walker
Mitchell Louis Wasik
Anne Brereton Wright
Roger Carl Young

In absentia

Ronald Davidson
Robert Cameron Mitchell

The Treasurer then presented the scholarships and prizes won by the students of the First and Second Year classes in the session 1965-66, as follows:

FIRST YEAR

The Law Society Scholarships for attaining

First place with Honours	—David Munro Beatty
Second place with Honours	—Ronald Appleby —Brian Delby Bucknall
The Richard Halliburton Greer Prize	—David Munro Beatty
The Harry R. Rose Criminal Law Prize	—David Munro Beatty
The Lawyers Club War Memorial First Prize	—Brian Delby Bucknall
The Prize in Torts	—Brian Delby Bucknall
The Lawyers Club War Memorial Second Prize	—James Marvin Menzies
The Kenneth Gibson Morden Mem. Prize	—Carol Anne Allison —Alexander Gray Henderson
The Samuel Factor Memorial Prize	—Joseph Dominic Michael Sorbara
The First Prize in Legal History	—Bernard Barry Gasee
The Second Prize in Legal History	—Robert Charles Cronish

SECOND YEAR

The Law Society Scholarship for attaining First place with Honours	—Donald Harris Lapowich
The Reading Law Club Prize	—Donald Harris Lapowich
The Canada Permanent Trust Company Prize	—Donald Harris Lapowich
The Ivan Cleveland Rand Scholarship	—Donald Harris Lapowich
The William Bruce Henderson Prize	—Donald Harris Lapowich
The Prize in Company Law	—James Howard Freeman Dunham
The Prize in Family Law	—Brian Paul Bellmore

The Treasurer congratulated the new graduates and the scholarship and prize winners, and introduced the Honourable Mr. Justice Evans who addressed Convocation.

CONVOCATION THEN ROSE.

At the conclusion of the ceremonies, the graduates, and scholarship and prize winners, their families and friends were taken on a tour of the new Court House, following which they were entertained by the Treasurer and Benchers at a reception in Convocation Hall.

BRENDAN O'BRIEN,
Treasurer.

[1967] O.R. v. 1-2

MEETING OF CONVOCATION

FRIDAY, 18TH NOVEMBER 1966
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Bowlby, Bull, Callon, Cass, Chappell, Chitty, Common, Creighton, Evans, Fennell, Goodman, Gray, Gregory, Howland, Levinter, W. S. Martin, McCulloch, MacKinnon, McLaughlin, Raney, Robins, Seymour, Sheard, Slemin, Steele, Strauss and Thom.

The Minutes of the Meeting of Convocation of the 21st October 1966 were read and confirmed.

The Treasurer welcomed Mr. F. J. L. Evans, Q.C. who attended Convocation for the first time after his appointment as a Bencher in October 1966.

BENCHER

The Treasurer expressed regret at the death on the 6th November 1966 of the Honourable C. P. McTague, Q.C., a Bencher ex officio of this Society, and referred to his notable attainments as a gentleman and scholar.

COMMITTEE MEMBERSHIP

Mr. F. J. L. Evans, Q.C., was appointed to serve on the following Committees: Discipline, Unauthorized Practice, County Libraries, and Public Relations.

Mr. W. Gibson Gray, Q.C., who is a member of five Committees and Chairman of the Discipline Committee, asked to be removed from the Public Relations Committee, and his request was granted.

House Committee

Messrs. G. E. Beament, Q.C., and W. Earl Smith, Q.C. were appointed to the House Committee.

Legal Aid Programme Committee

Mr. Merien Borczak, Director of Welfare Allowances, was appointed to the Legal Aid Programme Committee.

Legal Aid Committee

Moved by Mr. Gray, seconded by Mr. Fennell, that Mr. W. Earl Smith, Q.C. be appointed to the Legal Aid Committee as an honorary member.

Carried.

NOTICE OF MOTION

At its meeting on the 21st October 1966 it was moved by Mr. Bowlby, seconded by Mr. McCulloch—

> BE IT RESOLVED THAT the Degree of LL.B. be granted to those lawyers who on application can satisfy the Legal Education Committee that prior to entering and graduating from Osgoode Hall, they were graduates of a Faculty of Arts, Law, Medicine or Engineering of an Ontario University, or held similar degrees from Universities outside Ontario as are accepted by the Legal Education Committee.

Mr. Howland reported that the Legal Education Committee has requested an opinion from the Honourable Ivan C. Rand, Q.C., which has not yet been received, as to whether the Society has the power to grant degrees retroactively. Convocation discussed whether Mr. Bowlby's motion should be dealt with before Mr. Rand's opinion and the recommendation of the Legal Education Committee are received.

Moved by Mr. Howland, seconded by Mr. Levinter, that Mr. Bowlby's motion stand until the Legal Education Committee report on the matter is made.

Carried.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, 10th November, 1966, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, Cass, Creighton, Henderson, MacKinnon, Sheard, Slemin, Thom and Weir.

BAR ADMISSION COURSE

FACULTY

The Director requests the approval of the Committee to the following appointments to the Faculty of the Bar Admission Course:

Creditors Rights and Bankruptcy
B. A. Spiegel, Esq., as a Stand-by Instructor.

Commercial Law
F. A. Enfield, Esq., as an Instructor.
W. L. Hooey, Esq., as an Instructor.
John Allen, Esq., as an Instructor.
D. T. Bennett, Esq., as an Instructor.
K. N. Karp, Esq., as a Stand-by Instructor.
G. A. Wilson, Esq., as a Stand-by Instructor.

Approved.

OSGOODE HALL LAW SCHOOL

ANNUAL MEETING OF THE ASSOCIATION OF AMERICAN LAW SCHOOLS

The Committee is asked to approve the expenses for certain Professors to attend the Annual Meeting of the Association of American Law Schools which is being held in Washington, D.C., 27th-30th December, 1966.

Your Committee recommends that five members of the Faculty chosen by the Dean be authorized.

JURISPRUDENCE CONFERENCE IN ST. LOUIS

Professors Weiler and MacGuigan request permission to attend the Jurisprudence Conference in St. Louis, 28th-30th November, sponsored by the International Association for Philosophy of Law and Social Philosophy.

Approved.

LADIES AUXILIARY TO THE LEGAL PROFESSION OF HAMILTON — BURSARY

The Faculty requests the approval of three bursaries in the amount of $200.00 each.

Approved.

REPORT OF ADMISSIONS COMMITTEE

The Law School Admissions Committee reports as follows:

FIRST YEAR

	1966-67	1965-66
Applications received	534	492
Applications refused	119	130
Applications accepted	415	362
Withdrawals before and after date of registration (October 21, 1966)	211	155
	204	207
Plus repeaters	10	5
	214	212

Received.

BURSARIES

The Atkinson Charitable Foundation has provided $1,000.00.

Noted with gratitude.

Your Committee recommends that the granting of Law Society Foundation bursaries be referred to the Chairman, the Vice-Chairman and the Dean, with power to act.

ARTICLING — SURVEY

Mr. George D. Elliott, President of the Legal and Literary Society, asks the Committee's permission to conduct a survey among the students in the Bar Admission Course and submits a form of questionnaire which he proposes be used.

Your Committee recommends that Mr. Elliott be informed that the Society does not approve or authorize the proposed questionnaire and that any questionnaire that may be circulated should not indicate that it has the approval of the Society.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on Thursday, 10th November, 1966, the following members being present: Mr. T. Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Bull, Cass and Robins.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

The following candidates having complied with all necessary requirements are now entitled to be called to the Bar and to be granted Certificates of Fitness:

1. Derek Mendes da Costa — Faculty of Law — Osgoode Hall Law School
2. Graham Eric Parker — Faculty of Law — Osgoode Hall Law School
3. Paul Cronin Weiler — Faculty of Law — Osgoode Hall Law School
4. Bernard Leo Adell — Faculty of Law — Queen's University
5. Stanley Martin David Beck — Faculty of Law — Queen's University
6. Bruce Carr McDonald — Special — Faculty of Law — Queen's University
7. Innis McLeod Christie — Faculty of Law — Queen's University
8. Gerald Montague Adler — Faculty of Law — University of Western Ontario.

Approved.

Your Committee considered and approved applications to transfer to practice in Ontario from a member of the Alberta Bar and a member of the Bar of British Columbia.

A special petition was considered from a student in the Bar Admission Course who, though serving as if under articles, failed to file his application for admission. On the Director's recommendation the application was accepted and the articles deemed to run from 1st September upon the student paying a fine of $70.00.

THE REPORT WAS ADOPTED

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Derek Mendes da Costa
Graham Eric Parker
Paul Cronin Weiler
Bernard Leo Adell
Gerald Montague Adler
Stanley Martin David Beck
Innis McLeod Christie
Bruce Carr McDonald

FINANCE COMMITTEE—Mr. Howland

Your Committee met on Thursday, 10th November, 1966, the following members being present: Messrs. Sheard, Vice-Chairman in the Chair, Harris, Henderson, Howland, W. S. Martin, Slemin, Steele and Thom.

ACCOUNTS

The Secretary reports that from the 1st October to the 31st October 1966 accounts, including Library Accounts, properly approved, to the amount of $71,828.11 have been paid.

The Secretary also reports that from the 1st October to the 31st October 1966 Legal Aid accounts to the amount of $2,080.39 have been paid.

Received.

ROLLS AND RECORDS

The Secretary reports:

Deaths

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

J. E. Zeron, Q.C., Windsor	Called — 30th October 1922 Deceased — 12th April 1966
Samuel S. McNairn, Q.C., Toronto	Called — 14th December 1922 Deceased — 24th October 1966
Herbert G. Stapells, Q.C., Toronto	Called — 15th June 1922 Deceased — 25th October 1966
Hon. C. P. McTague, Q.C. Toronto	Called — 2nd May 1922 Deceased — 6th November 1966
C. E. Kitchen, Q.C., Toronto	Called — 18th June 1925 Deceased — 6th November 1966

Noted.

CHANGE OF NAME

D'Arcy Blair is entered on the rolls and records of the Law Society as "William D'Arcy Blair". For many years he has not used the name "William", and asks that his name be changed on the rolls and records of the Law Society to "D'Arcy Blair".

Your Committee recommends that his request be granted.

HONORARY LIFE MEMBERSHIP

Pursuant to a policy amended and adopted by Convocation on the 15th January 1960, the Secretary reports that as of 1st December 1966 the following became Honorary Life Members of the Law Society of Upper Canada:

Barristers and Solicitors	*Address*	*Date of Call*
Miss Gertrude Alford, Q.C.	Trenton	15 June 1916
Albert Hawley Boddy, Q.C.	Brantford	18 May 1916
John Callahan, Q.C.	Toronto	18 May 1916
Stanley Metcalfe Clark, Q.C.	Ottawa	23 Nov. 1916
Walter Benjamin Cowan, Q.C.	Toronto	18 May 1916
Albert Grenville Davis, Q.C.	Brampton	14 Sept. 1916
James Grey Hamilton, Q.C.	Toronto	18 May 1916
Henry Sidney Hamilton, Q.C.	S.S. Marie	19 Oct. 1916
Lester Millman Keachie, Q.C.	Toronto	14 Sept. 1916
Duncan Roy Kennedy, Q.C.	Ottawa	9 June 1916 (Sworn in)
Paul Leduc, Q.C.	Ottawa	20 April 1916
Alfred Richardson Quirk	Toronto	18 May 1916
Henri Saint-Jacques, Q.C.	Ottawa	14 Sept. 1916
Harvey Basil Setterington, Q.C.	Toronto	18 May 1916
Percy Shulman, Q.C.	Toronto	18 May 1916
Frederick Harold Vanston	Toronto	18 May 1916

RETIRED JUDGES

The Honourable Daniel Patrick James Kelly,	Toronto	14 Sept. 1916
The Honourable Wilfrid Daniel Roach,	Toronto	18 May 1916.

Noted.

LUNCHEON ROOM

Miss Margaret Lennox presents a statement of the operation of the luncheon room for the year ending August 31, 1966, showing a gross profit of $2,744.40. During the year

33,442 meals were served, of which 3,363 were special dinners.

Received.

SUB-COMMITTEE ON STUDENT'S CAFETERIA

The Sub-Committee reported on its investigation of the operation of the cafeteria, and recommended that the present contract be terminated and new caterers engaged.

THE REPORT WAS ADOPTED

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell

Your Committee met on the 10th November 1966, the following members being present: Mr. S. E. Fennell, Chairman, and Messrs. Bull, Callon, Howland, MacKinnon, Slemin and Strauss.

1. SCOPE OF THE PROFESSIONAL CONDUCT COMMITTEE

Your Committee has for some time been concerned as to what constitutes the division line between its functions and the functions of the Discipline Committee. The following principles are suggested as guide lines for the Professional Conduct Committee:

1. Any matter being considered by the Professional Conduct Committee which discloses a prima facie case of professional misconduct should be referred to the Discipline Committee.
2. It is not desirable that the Professional Conduct Committee should hold a hearing or that it should make any finding as to the misconduct or the improper conduct by a member.

2. RULING 1 — CANONS OF ETHICS

Your Committee considered a complaint from a solicitor in London concerning the institution and maintenance of a malpractice suit. Your Committee was of the opinion that there was not sufficient evidence to warrant proceeding farther with the matter and instructed the Secretary to so advise the complainant.

3. RULING 10 — SIGNS AND LETTERHEADS

Certain firms in the Province of Ontario engaged in the Patent and Trade Mark field had included in their names the names of persons who were never solicitors. These firms have advised your Committee that they utilize separate letterheads, one letterhead used in their legal practice sets forth only the names of people who were or are solicitors in Ontario, and it is only the other letterhead that is used in their patent practice that includes names of parties who were or are not solicitors in Ontario. Your Committee is of the opinion that as long as such a severance exists there is no objection.

4. RULING 15 — MORTGAGE BROKERS

Your Committee considered a memorandum from the Law Society of Alberta in reference to "Finders' Fees". The memorandum is as follows:

> "To All Members of
> The Law Society of Alberta.
>
> *Re: Finders' Fees*
>
> The Benchers in their June, 1966 meeting, considered the ethical propriety of the acceptance by lawyers of "finders' fees" from mortgage companies or other financial institutions on the introduction of business to such institutions.
>
> In the opinion of the Benchers, based upon views expressed in the Lund Lectures (page 69) and in Orkin's Legal Ethics (pages 154, 155), it is professionally improper for a lawyer acting for the person introduced by him to such an institution, to accept from it a finder's fee unless (i) he makes full disclosures to his client, and (ii) pays the fee over to the client or credits the same against his own account to the client. The principle here involved is that the lawyer should not, by receiving or bargaining for compensation from any source except his client, put himself in a position which might interfere with his undivided loyalty to the client.
>
> Quite apart from any question of finders' fees, it seems patent that a lawyer should not introduce a client to an institution of the type in reference and for which he regularly acts, unless (a) he makes disclosure of his relationship with the latter to the client, (b) counsels the client to obtain appropriate independent advice, and (c) is able to demonstrate to his own and to the client's satisfaction that such institution, whether by reason of the lawyer's foregoing a finder's fee or otherwise, will afford to the client terms which, in the net result, are at least as advantageous to him as any available from a competitive source.

> While it does not appear to be professional misconduct for a lawyer to receive a finder's fee on the introduction of a person who is not his client, nevertheless, for the lawyer to make a regular or frequently recurrent practice of so doing, would seem to savor of commercialism and as such be more likely to detract from than enhance his professional reputation."

Your Committee wishes to go on record that it concurs in the findings as set forth above and recommends that the opinion be published.

5. RULING 16—DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee has received applications from various publications for approval under section 3 of Ruling 16 and recommends that the following publications be approved and Notice of approval be published:

The Bar Register
The B.A. Law List
Campbell's List
Russell Law List
Circuit Guide
Toronto Legal Directory.

6. PROPOSED NEW RULING—BANKRUPTCY

Your Committee has considered the reaction of the members of the Society to the Proposed New Ruling on Bankruptcy which was published in the Ontario Reports April 1st, 1966, and recommends that Section 12 of the Rules Respecting Accounts be amended by the addition thereto of subsection (c) as follows:

> "(c) A member by becoming bankrupt under the Bankruptcy Act may be guilty of conduct unbecoming a barrister and solicitor."

The motion was carried, and the Report as amended was adopted.

CONVOCATION ADJOURNED at 12:40 P.M.

Convocation entertained at luncheon William Ridout Wadsworth, Esq., Q.C., who was called to the Bar, Easter 1899, and continues in active practice in Toronto.

CONVOCATION RESUMED at 2:30 P.M., a quorum being present.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 10th November 1966, the following members being present: Mr. Steele, Chairman, and Messrs. Chitty, Harris, W. S. Martin, Slemin and Strauss.

PRESENTATIONS

Your Committee reports that the following presentations have been made to the Great Library, and expresses its thanks to the donors:

Everett Bristol, Esq., Q.C., on his retirement from active practice donated a *Deed dated December 1886* affecting a property at Pickering, Ontario.

Peter Giles, Esq., counsel for the United Dominions Investment Ltd., donated a number of volumes of the *Statutes of Saskatchewan.*

L. G. Latchford, Esq., Barrister of Hamilton, donated *Kingsford's Manual of Evidence*, 2d ed. which had been the possession of his late father, the Honourable Chief Justice Latchford.

Mrs. Ward, of Islington, offered a number of old *Statutes of Ontario* which had been the property of her late father, Mr. J. D. Evans, a former Reeve and Magistrate of Islington.

Mr. T. G. O'Connor donated several volumes of the *Statutes of Ontario.*

Donald K. Hardy, Esq., donated a very valuable series of Reports covering the *Ontario Reports from 1832 to 1938*, as well as the *Supreme Court Reports from 1878 to 1938*. Mr. Hardy's books were in excellent condition.

T. L. Robinette, Esq., Q.C. has offered another valuable series of *Supreme Court of Canada Reports* which will be picked up shortly.

Canadian Tax Foundation has offered to the Great Library large numbers of documentary and periodical materials which would not otherwise be available. An arrangement has been made with the Foundation to make certain periodicals available to the Great Library at the end of each year.

Noted.

THE REPORT WAS ADOPTED.

AMENDMENT OF RULES—RULE 89

Moved by Mr. Steele, seconded by Mr. Strauss, that Rule 89 be amended by deletion of the words "an Assistant Librarian", and substitution therefor of the words "one or more Assistant Librarians', so that the Rule will then read:

> "89. There shall be one or more Assistant Librarians in respect of the Great Library and an Assistant Librarian who shall have charge of the Phillips-Stewart Library under the superintendence of the Chief Librarian."

Carried.

COUNTY LIBRARIES COMMITTEE—Mr. Strauss

Your Committee met on Thursday, the 10th November 1966, the following members being present: Mr. Harris, Chairman, and Messrs. Beament, Creighton, Fennell, W. S. Martin, Slemin, Steele and Stauss.

ELECTION OF VICE-CHAIRMAN

Mr. Nathan Strauss, Q.C. was elected Vice-Chairman of the Committee.

SCHEDULE FOR THE YEAR 1966

The Chief Librarian was authorized to distribute to the various County and District Law Associations the Annual Schedule based on the 1965 Returns.

THE REPORT WAS ADOPTED.

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin

Your Committee met on the 31st of October, 1966, the following members being present: W. S. Martin, Esq., Q.C., Chairman, and Messrs. Chappell, Goodman, Gray and Strauss.

LAW SOCIETY PUBLICATION

At its Meeting on the 31st day of October, 1966 Convocation approved in principle the suggestion that the Law Society publish a magazine for distribution to the profession which would contain among other things, announcements and other material the Society wants published to the profession.

At Convocation it was suggested that such information might be published in the Canadian Bar Journal. Your Committee considered this suggestion carefully and also the suggestion that Chitty's Law Journal might be a suitable vehicle. Your Committee recommends, however, that the magazine be a separate one published by the Law Society quarterly unless more frequent publication becomes desirable and that an Editor be engaged to be responsible under your Committee's direction for its make-up, publication and distribution.

CANADIAN BAR ASSOCIATION—PUBLIC RELATIONS COMMITTEE

Your Committee recommends that the Public Relations Committee of the Law Society work with the Public Relations Committee of the Ontario section of the Canadian Bar Association to advance and improve the public relations of the Bar of Ontario.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON OSGOODE HALL LAW SCHOOL AFFILIATION WITH YORK UNIVERSITY

—Mr. W. G. C. Howland

Your Committee met on the 28th of October, 1966, the following members being present: Mr. W. G. C. Howland, Chairman, and Messrs. Arnup, G. A. Martin and O'Brien. Miss McCormick and Mr. Z. G. C. Lash attended at the Chairman's request.

Your Committee received a report of the Sub-Committee on Library.

AGREEMENT WITH YORK UNIVERSITY

Your Committee had before it a memorandum of agreement made as of the 15th day of October, 1965, between the Law Society and York University covering the terms of the affiliation of Osgoode Hall Law School with York.

Your Committee recommends that the agreement attached hereto and forming part of this report be approved.

MEMORANDUM OF AGREEMENT made as of the 15th day of October, 1965.

BETWEEN:

THE LAW SOCIETY OF UPPER CANADA,
incorporated by Statutes of Upper
Canada, 2 George IV, Chapter 5,
(hereinafter called the "Law Society")

OF THE FIRST PART;

and

YORK UNIVERSITY, incorporated by
Statutes of Ontario, 1959 Chapter 145,
(hereinafter called "York")

OF THE SECOND PART.

WHEREAS York has power and capacity to establish and maintain faculties, schools, institutions, departments, chairs and courses and to affiliate with, or take into affiliation or federate with, other universities, colleges and institutions of learning on such terms and for such periods of time as the Board of Governors of York, after consultation with the Senate of York, may determine;

AND WHEREAS the Benchers of the Law Society pursuant to power vested in them have established and maintained a law school known as the Osgoode Hall Law School (hereinafter referred to as "Osgoode") at which *inter alia* instruction in law leading to the degree of Bachelor of Laws is provided;

AND WHEREAS in addition to Osgoode the Law Society conducts the "Bar Admission Course" at which legal training is provided *inter alia* to graduates of approved law schools with a view to their being called to the Bar of Ontario and admitted to practice as solicitors in Ontario;

AND WHEREAS the responsibilities and obligations of the Law Society in respect of the Bar Admission Course are increasing and it is anticipated that the facilities of the Law Society will become inadequate for the purposes of both the Bar Admission Course and Osgoode;

AND WHEREAS the Law Society is desirous that the activities of Osgoode should be continued;

AND WHEREAS York is desirous of establishing a Faculty of Law;

AND WHEREAS the Law Society and York consider it to be to their mutual advantage that Osgoode become affiliated with

York as hereinafter provided and reconstituted as the Faculty of Law of York University with a view to continuing at York the legal education leading to the granting of the degree of Bachelor of Laws presently provided at Osgoode and it is for this purpose that the Law Society and York are entering into this Agreement;

AND WHEREAS the Law Society maintains a law library for use by the students and faculty of Osgoode and of the Bar Admission Course which is known as the "Phillips Stewart Library" and which forms part of the "Great Library" maintained by the Law Society;

AND WHEREAS the Law Society, subject as hereinafter provided, is willing to convey to York the greater portion of the statutes, text books, law reports and periodicals (hereinafter collectively referred to as "books") forming the Phillips Stewart Library as well as certain other books of the Great Library;

AND WHEREAS all appropriate action has been taken by the Benchers of the Law Society and by the Board of Governors of York respectively to authorize the entering into of this Agreement and the carrying out of the provisions hereof;

NOW THEREFORE THIS AGREEMENT WITNESSETH:

Affiliation

1. Osgoode shall become affiliated with York and shall be constituted as the Faculty of Law of York as hereinafter provided with effect from the first day of July, 1968, which date is hereinafter referred to as the "affiliation date".

Osgoode-York

2. With effect from the affiliation date the instruction in law theretofore carried on in the name of Osgoode shall be continued by York and shall be included in its faculty of law which shall thenceforth be known as the "Osgoode Hall Law School of York University" (hereinafter referred to as "Osgoode-York"). The said name shall be retained and used by York as aforesaid until such time as the Benchers of the Law Society on not less than six months notice effective on the 30th day of June in any year request its discontinuance, whereupon York shall cease to make use of the said name and shall not thereafter use any name in connection with its activities relating to legal education or otherwise that includes the word "Osgoode". In the event that the Benchers of the Law Society shall so request the discontinuance of the name

"Osgoode" then the Law Society agrees that it will not use any name in connection with its activities relating to legal education that includes the word "Osgoode" for a period of three years from the 30th day of June in the year when the request for discontinuance by York of the use of the name "Osgoode" becomes effective.

Representation on Senate of York

3. York shall use its best efforts to cause two Benchers named by the Law Society to be appointed to the Senate of York, such appointments to be in addition to any members of the teaching staff of Osgoode-York, including the Dean of the Faculty of Law, who are members of the Senate.

Co-operation of Parties

4. York will use its best efforts to uphold and advance the standards of legal education heretofore maintained at Osgoode and to continue the traditions of Osgoode. To this end York and the Law Society agree during the period from the date of this Agreement to the 1st day of July, 1968 to co-operate with respect to all matters relating to legal education to be provided at Osgoode-York and to consult together with respect to all major matters relating to the administration of Osgoode-York. Without limiting the generality of the foregoing the Law Society and York shall co-operate in all matters affecting the affiliation and in particular shall consult together in respect of purchasing policies and the standardization of operating procedures prior to the affiliation date.

Consultant

5. York and the Law Society agree to appoint a consultant to be agreed upon by them, who, in consultation with a planning committee which is to include representatives of the Law Society, York and the Faculty of Osgoode, will consider and make recommendations with respect to the problems of legal education as they concern the Law Society and York and the means whereby the greatest contribution to legal education can be made by Osgoode-York, including the possible establishment of a "Legal Centre". The honorarium and expenses of the said consultant shall be borne equally by York and the Law Society.

Law School Building

6. York agrees at its own expense to erect a law school building for the use of Osgoode-York on the campus of York

located near the intersection of Keele Street and Steeles Avenue in the Municipality of Metropolitan Toronto, provided always that until such time as the said building is required in its entirety for use by Osgoode-York the portions thereof not so required may be made available for use by other faculties of York. York shall use its best efforts to ensure that the said building shall be erected so as to be available for Osgoode-York by September 1, 1968. The cost of the said building with equipment, books and furnishings is presently estimated at six million dollars.

Academic Staff

7. York agrees to offer appointments effective on the affiliation date at Osgoode-York to all members of the faculty of Osgoode who were members thereof on July 1, 1965 and to all members who with the prior approval of York, are appointed to the faculty of Osgoode during the period from July 1, 1965 to the affiliation date. Such offers shall be made forthwith in the case of the members of the faculty of Osgoode as at July 1, 1965 and as soon as practicable in the case of all subsequent appointments. In all cases the basic academic salary, rank and conditions of tenure to be offered by York will correspond to those prevailing at Osgoode on June 30, 1968; provided that for such purposes any promotions or increases in salary effected during the period from July 1, 1965 to the affiliation date which were not before the granting of the same approved by York shall be disregarded. Such offers shall be open for acceptance in the case of the Dean until July 1, 1966 and in the case of other members of the faculty until July 1, 1967 and for a period of three months from the respective dates of the offers in the case of persons appointed to the faculty of Osgoode after July 1, 1965.

From and after the affiliation date all members of the Faculty of Osgoode who accept appointments at Osgoode-York shall be eligible for increments in salary and promotions on the same basis as is applicable to members of other faculties of York, with service at Osgoode counting as if it had been service with Osgoode-York.

Privileges of Academic Staff

8. York is cognizant of the conditions of employment of faculty members in university law schools in Canada and agrees to use its best efforts to offer comparable benefits at Osgoode-York, especially with regard to salaries, pension

benefits, starting ranks, rates of promotion, tenure of office, hours of teaching, consulting work and leaves of absence. York agrees that the members of the Faculty of Osgoode-York shall be entitled to all the rights and privileges, including membership in the Senior Common Room at York, athletic privileges and dining privileges, enjoyed from time to time by members of the other faculties of York, it being the intention of this Agreement that Osgoode-York shall be in every way a faculty of York with all the rights, privileges, entitlements, perquisites and obligations pertaining to a faculty thereof. York agrees to use its best efforts to maintain at Osgoode-York a ratio of faculty to students of not less than that current from time to time in other leading law schools in Canada and to provide and maintain for the Faculty of Osgoode-York the level of administrative and secretarial assistance, exclusive of research and other special assistance, available at Osgoode at the date of this Agreement.

Office at Osgoode Hall

9. The Law Society agrees to provide without charge for three years from the affiliation date and for such time thereafter as the Law Society may permit, a suitable office at Osgoode Hall for the use of members of the Faculty of Osgoode-York who are engaged in research projects necessitating their attendance at Osgoode Hall.

Planning for Osgoode-York

10. All members of the Faculty of Osgoode indicating their intention to become members of the Faculty of Osgoode-York shall immediately thereafter be requested by York and shall be permitted by the Law Society to participate in the planning for Osgoode-York in conjunction with the Department of Campus Planning of York and in the formulation of submissions to be made to the Senate of York regarding the curriculum of Osgoode-York.

Registrar

11. York agrees forthwith to offer to appoint the Registrar of Osgoode to the administrative staff of York at the affiliation date at her salary prevailing on June 30, 1968, provided that any increases in salary during the period from July 1, 1965 to the affiliation date shall be disregarded if not approved by York before the granting of the same. The said offer shall be open for acceptance until July 1, 1967. It is presently con-

templated by York that such appointment will be as an Assistant Registrar of York and Secretary of the Faculty of Law and will carry administrative responsibility for admissions to Osgoode-York and that the position will be known as the "Secretary of the Osgoode Hall Law School of York University".

Other Staff

12. York agrees to use its best efforts to offer appointments to all other persons who are members of the administrative and/or clerical staff of Osgoode on the basis that they will have comparable positions at York on and after the affiliation date.

Law Library

13. York agrees to use its best efforts to acquire and maintain an adequate law library for use at Osgoode-York. In furtherance thereof, subject to mutual agreement, the Law Society will sell to York for use at Osgoode-York and York will purchase from the Law Society on or before the affiliation date the greater portion of the Phillips Stewart Library, excluding such statutes, texts and standard legal reports as may be required by the Law Society, together with such books of the Great Library as the Law Society and York may agree. York shall also use its best efforts to establish a first-class research library at Osgoode-York and will from time to time acquire and maintain such books as it deems necessary or advisable for such purpose.

Scholarship Bursary and Loan Funds

14. The Law Society agrees to use its best efforts to cause all scholarship, bursary and loan funds now under its control and heretofore held for the benefit of students at Osgoode to be transferred to York for the benefit of students at Osgoode-York. It is recognized that some or all of the said funds may be subject to trusts which may preclude such transfer. However, the Law Society in furtherance of its obligations hereunder, and without limiting the generality thereof, will use its best efforts to obtain special legislation authorizing such transfer in all cases in which the Law Society in its discretion considers that, having regard to all the circumstances, such legislation can reasonably be sought.

Students

15. The Law Society will notify all students entering Osgoode between the 1st day of September, 1966 and the 1st day of November, 1967 that they will be required to complete at York their courses leading to the degree of LL.B. Any such student who has duly completed such course may at his option receive an LL.B. degree from York or the Law Society and the Law Society will notify all such students accordingly.

Legal Aid

16. The Law Society will use its best efforts after the affiliation date to encourage and facilitate students at Osgoode-York to engage in legal aid work.

Submission for Grants

17. York and the Law Society will co-operate in making a submission or submissions to the Ontario Department of University Affairs in respect of grants to be made by the Province of Ontario to York and the Law Society for the calendar year 1968 with a view to ensuring that York and the Law Society will each receive their respective entitlements in respect of their respective participation in Osgoode-York and Osgoode during the said year.

IN WITNESS WHEREOF this Agreement has been executed on the day of but shall be deemed to have become effective as of the 15th day of October, 1965.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON SURROGATE COURT TARIFFS — Mr. Creighton.

1. Your Committee was appointed on February 19th, 1965, and since that date has examined the Surrogate tariff of every Province in Canada and every State in the United States.

2. In addition, the subject matter has been discussed by correspondence with the profession generally in Ontario through their County Bar Associations and the members of the Committee had correspondence with a very large number of individual Solicitors and have very many letters expressing their opinions on the questions involved.

3. Certain facts relating to Surrogate practice should be reviewed. The Surrogate Court tariff in Ontario is fixed by the Rules Committee under the Surrogate Courts Act. The last tariff was published in 1952 and appears now as Regulation 551 of the Revised Regulations of Ontario, 1960. This tariff is appended to Regulation 551 as Appendix B and is divided into several headings of which the first two, Fees to Counsel and Solicitors; and, Incidental Items, are the portions, we understand, with which we are concerned. The Fees are subdivided under the following headings: Application for Probate or Administration; Preparation of Succession Duty Schedules, Ontario; Preparation of Estate Tax Returns, Canada; and Passing Accounts; and are computed with reference to the size of the total receipts of the Estate.

4. The Committee has formed the opinion that the profession generally regards the tariff as completely inadequate.

In the first place, there is certainly no uniformity in the charges. Substantial portions of the tariff are left to the discretion of the Surrogate Judge and in very many cases, the Surrogate Judge is not concerned because very many estates do not come before the Surrogate Judge at all as there is no audit of accounts. In addition, the tariff itself is elastic in many particulars. Under the present tariff it is difficult to avoid this lack of uniformity.

5. Secondly, under the present system, the client cannot be told what the fee will be when he instructs the Solicitor. This inability to estimate a fee is undesirable and makes for poor public relations.

6. Thirdly, under the present system if the Solicitor is to break even financially in the matter, he has to bill for everything he has done. Often the Solicitor cannot get out his bill without a great deal of time and effort in its preparation. No allowance is made for this time and he cannot get paid for this time. The closing of an estate is often delayed for weeks, months or even years until a harassed Solicitor can get around to drawing the bill which is needed if he is to receive payment for what he has done. There is no use saying he should have his entries from day to day. Many Solicitors just do not find time to do this and the drafting of an itemized bill in an estate can be a tedious, vexatious, time-consuming job. The delay annoys the client and the heirs and embarrasses the Solicitor, and makes for poor public relations.

7. Fourthly, not infrequently when the client gets the bill it is for far more than the client thought it would be. Because,

under the present system he could be given no accurate estimate, his annoyance is increased by the bill. Some of the items on the bill look petty. He complains that he has been charged for every little item. He does not appreciate the time factor, and the cost of producing a Solicitor's time.

6. Fifthly, the present method makes no provision for the eroding effect of inflation. Unless the present tariff is revised periodically, the fees are not increased to counteract the effect of inflation. It would be far better if a tariff moved automatically with inflation as would be the fact in a straight percentage fee.

9. Sixthly, if justice is to be done to heirs of estates, Solicitors and Executors' fees should be deductible for Succession Duty and Estate Tax purposes. No ready or uniform calculation under the present tariff can be made. But if this were done, the client would benefit. While there may be no provision to permit these deductions now, if they were readily calculable it would seem to be reasonable to ask this.

10. One of the difficulties in forming a satisfactory conclusion is the great variety of opinions expressed by the members of the profession. In view of this, your Committee is now prepared to suggest a principle on which fees should be calculated and then in a final report to fix the method of computing these fees.

11. Your Committee is aware of the infinite variety of bills in Estate matters — varying from Estates handled by a professional Executor — as a Trust company where all incidental work relating to the administration is handled by the Executor; to an Estate which is quite common — where the Solicitor does all the work of the Executor. Further, within this latter group, a great variety of services may appear depending on the nature of the assets of the Estate as for instance, life insurance, real property, bonds and shares, etc., where there is a wide variety of services to be rendered.

12. Your Committee feels that where the Solicitor renders the services usually considered the duty of the Executor, that he could include these services in his bill, charging a fee relating to the figure as would be allowed an Executor on an audit and that the routine items such as Application for Probate, and Succession Duty and Estate Tax return and adjustment of the amount of the tax should be fixed by reference to the amount of the Estate.

13. Your Committee further believes that audit of accounts should be a separate item and a suitable tariff fee fixed for this service.

(Paragraphs 14 to 31 inclusive refer in detail to various submissions made by County associations and others.)

32. All, or nearly all, agree that our tariff is out of date and in need of substantial revision.

33. One of the difficulties in fixing a satisfactory conclusion, is the great variety of opinions expressed by members of the profession and in view of this, your Committee is now prepared to suggest a principle on which fees should be calculated. If this principle is satisfactory to the Convocation, then in a later report, fix the method of computing fees.

Your Committee therefore recommends:

1. That Solicitors be paid for all ordinary services not including passing of accounts, a percentage fee based on the value for estate tax purposes of all assets that pass through the hands of the personal representative.
2. That additional percentage fee be fixed for passing of accounts.
3. When exceptional circumstances arise, there should be a provision for increase or decrease in the above fees.

THE REPORT WAS ADOPTED

SPECIAL COMMITEE ON INTEREST ON TRUST ACCOUNTS

Moved by Mr. Robins, seconded by Mr. Gray that a Special Committee on Interest on Trust Accounts be appointed, to be composed of: Messrs. Arnup (Chairman), R. F. Wilson (Vice-Chairman), Goodman, Henderson and MacKinnon.

Carried.

SPECIAL COMMITTEE ON SPECIALIZATION IN THE PRACTICE OF THE LAW

Moved by Mr. Robins, seconded by Mr. Gray, that a Special Committee on Specialization in the Practice of the Law, be appointed, to be composed of: Messrs. Howland (Chairman), Fennell (Vice-Chairman), Dubin, Henderson and Thom.

Carried

RESOLUTION OF CANADIAN BAR ASSOCIATION RESPECTING JUDICIAL APPOINTMENTS

The Treasurer presented for consideration of Convocation the following resolution passed by The Canadian Bar Association at its Annual Meeting in Winnipeg on the 30th August 1966:

> "RESOLUTION
>
> THAT a National Committee on the Judiciary of the Association be appointed by the Executive Committee for the purpose of assisting the Minister of Justice in the exercise of his authority and responsibility to make appointments to the judiciary by considering and expressing opinions on the suitability and qualifications of persons being considered by the Minister of Justice for judicial appointment."

Moved by Mr. W. S. Martin, seconded by Mr. Thom, that the Society support the above Resolution in principle.

Carried

CONVOCATION THEN ROSE

BRENDAN O'BRIEN,
Treasurer.

MEETING OF SPECIAL CONVOCATION

Thursday, 22nd December 1966
10:30 a.m.

PRESENT:

The Treasurer, and Messrs. Beament, Bowlby, Bull, Cass, Chappell, Common, Creighton, Evans, Ford, Goodman, Gregory, Henderson, Howland, McLaughlin, Raney, Roberts, Robins, Seymour, Sheard, Slemin, Strauss, Thom, Williston and R. F. Wilson.

LEGISLATION AND RULES COMMITTEE

Mr. R. F. Wilson

At its meeting on the 16th of June, 1966, Convocation adopted the Committee's recommendation that W. B. Common, Esq., Q.C., be retained to assist your Committee in drafting a new Act or Acts to replace the present three Legal Acts.

Your Committee met on the 8th of November 1966 and on the 8th of December, and Mr. R. F. Wilson, Chairman, and Messrs. Goodman, Howland and Sheard attended on both occasions. They considered a draft presented by Mr. Common and made suggestions which have now been embodied in a fresh draft.

After moving the adoption of the Report, the Chairman said that he had given the matter further consideration in the light of the suggestions which had been made by members of the Bench who read the draft, and discussed the matter with members of his Committee and with the Treasurer. He said that in view of these suggestions he was satisfied that further consideration must be given to the draft. He invited an amendment to his motion, and guidance as to any changes Convocation may propose.

Moved by Mr. Howland, seconded by Mr. Sheard, that the present draft be referred back to the Legislation and Rules Committee for further consideration.

Carried

It was then moved by Mr. Gregory, seconded by Mr. Ford, that Convocation be adjourned, and the Benchers meet in Committee of the Whole to discuss the draft Bill, clause by clause. *Carried*

CONVOCATION THEN ROSE, and a consideration of the draft Bill in Committee followed.

BRENDAN O'BRIEN,
Treasurer.

SPECIAL MEETING OF CONVOCATION

Thursday, 19th January 1967
2:00 p.m.

PRESENT:

Messrs. O'Brien (Treasurer), Beament, Bowlby, Bull, Callon, Chappell, Common, Dubin, Evans, Fennell, Ford, Gray, Gregory, Howland, G. A. Martin, W. S. Martin, MacKinnon, Raney, Roberts, Robins, Sheard and Strauss.

The Treasurer dispensed with the reading of the Minutes of the meetings of Convocation of November 18th and December 22nd, 1966.

The Treasurer announced that Mr. R. F. Wilson, Q.C., became a Life Bencher on the 17th January 1967 and extended his congratulations.

LEGAL AID PROGRAMME COMMITTEE

Mr. G. A. Martin

Your Committee was appointed by Convocation on the 15th October 1965 in response to a request, addressed to The Law Society of Upper Canada by the Attorney General for Ontario on the 21st September 1965, that the Law Society propound a scheme for the implementation of a plan of Legal Aid as recommended by the Joint Committee on Legal Aid in its report to the Attorney General dated March 1965.

The Legal Aid Programme Committee reported to Convocation in January, 1966 and submitted a draft Bill, together with a scheme setting out the responsibilities which were anticipated would be placed on the Law Society by the statute.

Convocation adopted the report of the Committee, which was then forwarded to the Attorney General, and recommended that the Legal Aid Programme Committee be not discharged until the Legal Aid Act had been passed by the Legislature and the Regulation had been drafted by the Committee and approved by Convocation and the Lieutenant Governor in Council.

Your Committee now consists of the following members: Mr. G. Arthur Martin, Q.C. (Chairman) and Messrs. G. E. Beament, Q.C., W. Gibson Gray, Q.C., Elmore Houser, Q.C., Robert F. Reid, Q.C., Charles Sale, Q.C., W. H. Waugh, Donald A. Keith, Q.C., W. B. Common, Q.C., S. A. Caldbick, Q.C., T. P. Callon, Q.C., and Merien Borczak, Executive Director, Department of Public Welfare.

Your Committee met on Wednesday, June 8th, 1966 and made the following recommendations to Convocation on June 17th, 1966, that:

1) it was imperative that a Legal Aid plan be ready for operation as soon as possible after the statute has been enacted;
2) Andrew M. Lawson be appointed the Director of the Legal Aid plan, subject to the approval of the Attorney General;
3) the Director be authorized to employ a secretary and such other persons as he considered necessary to administer the Legal Aid plan, in consultation with the Chairman;
4) the Director be authorized to obtain office accommodation;
5) the Director be authorized to attend upon and consult with the President of each local Law Association and the local Legal Aid Directors to enable the Committee to designate areas and recommended area directors.

A Sub-Committee of the Legal Aid Programme Committee met on Monday, June 20th, 1966.

The Committee requested the Chairman to consult with Mr. William Allen, Chairman of Metropolitan Toronto, to obtain space in the Old City Hall for the York County Area Director's office.

The Committee was subsequently informed by the Chairman that 2,500 square feet of space had been reserved in the Old City Hall for the York County Area Director's office.

The Committee recommended that Messrs. G. Arthur Martin, Brendan O'Brien, Robert F. Reid and John Arnup represent the Law Society before the Legal Bills Committee of the Ontario Legislature on June 21st, 1966 to answer questions which might arise concerning the Legal Aid Act, 1966.

Your Committee reported to a Special Convocation on June 23rd, 1966 as follows: that Section 26 of Bill 130, An Act respecting Legal Aid, states: "This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation." It was therefore possible, and even likely, that the proclamation of the Act would not take place for some time after the Act had received Royal Assent. Your Committee was of the opinion that the Provincial Director of Legal Aid would be unduly delayed if he was required to delay his preparation for the establishment of the plan until The Legal Aid Act, 1966 was, in fact, proclaimed. The Committee was of the opinion that the duties the Director was instructed to undertake could validly be performed prior to the proclamation of the Act, after it had received Royal Assent.

A Sub-Committee of the Legal Aid Programme Committee met on Tuesday, July 12th, 1966, and reviewed and approved a draft of a proposed scheme under the new Legal Aid Act, 1966, outlining a plan for the administration of the Act by the Law Society. The scheme was subsequently discussed with the Attorney General by the Chairman of the Committee and the Treasurer of the Law Society on July 12th, 1966 and he approved the appointment of Andrew M. Lawson as Provincial Director of Legal Aid and subsequently on July 13th, 1966 announced the appointment.

Your Committee reported to a Special Convocation on July 26th, 1966 that a Sub-Committee had been appointed consisting of Messrs. G. Arthur Martin, W. B. Common, Robert F. Reid and Elmore Houser, to draft the Legal Aid Regulation and recommended that Mr. Charles Sale, Q.C., be asked to prepare a first draft of the Regulation and that he be paid an honorarium.

Your Committee also recommended to Convocation, which recommendation was adopted, that the Provincial Director of Legal Aid attend on the President and Legal Aid Director of each Law Association, and also on every County Judge, Magistrate and Crown Attorney in the Province from the period July 20th, 1966 to October 6th, 1966, to obtain information necessary for the establishment of the Legal Aid Plan.

Your Committee met on Tuesday, August 2nd, 1966 and discussed the appointment of a Controller for the Legal Aid Fund.

The Committee also recommended the appointment of a secretary for the Provincial Director.

The Committee recommended that the existing Law Society pension plan be extended to include all employees under the Legal Aid Act, 1966.

The Committee reviewed Section 5 of The Interpretation Act with respect to the power of the Provincial Government to make payments to the Law Society out of the Consolidated Revenue Fund prior to the proclamation of the Legal Aid Act, 1966.

It was the opinion of the Committee that there was no authority to proclaim part of the Act.

The Secretary of the Treasury Board confirmed, after consultation with members of the Committee, in a letter dated August 8th, 1966 that monies being paid out by the Society to put the plan into operation would be refunded to the Society when the Act was proclaimed.

Your Committee appointed a Sub-Committee to prepare a schedule of fees in criminal matters consisting of Mr. G. Arthur Martin (Chairman) and Messrs. T. P. Callon, W. B. Common and S. A. Caldbick.

Your Committee appointed a Sub-Committee to prepare a schedule of fees in civil matters consisting of Mr. Elmore Houser (Chairman) and Messrs. G. E. Beament, W. Gibson Gray, D. A. Keith, Robert F. Reid and W. H. Waugh.

The Committee was of the opinion that a fair and realistic legal aid tariff must be drawn. The Committee agreed that today's lawyer is selling his time rather than a particular item of legal service. The tariff should, therefore, take into account the solicitor's time as a basis for remuneration. The tariff should also permit an increase in payment in special cases.

It was also the opinion of the Committee that the tariffs should set out the full 100% amount due to the lawyer to ensure that the public realized that the amount actually received by the lawyer is only 75% of the tariff, and to enable a proper assessment to be made of the contribution made by the legal profession to the Legal Aid Plan.

Mr. Merien Borczak, Executive Director, Department of Public Welfare, attended the August 2nd meeting at the invitation of the Committee. Mr. Borczak emphasized the fact that under the new scheme there will no longer be a "means test," but a "needs test". No one will necessarily be foreclosed from Legal Aid at any arbitrary income level.

The Committee again met on Wednesday, August 3rd, 1966.

The Committee was of the opinion that the principle should be established that the area director must not be retained for any professional services under the Act; that duty counsel should not act as counsel for an accused whom he has represented as duty counsel except where a previous solicitor-client relationship already existed.

The Committee recommended that all area directors be brought to Toronto for a seminar on the Legal Aid Plan after their appointment.

The Committee was of the opinion that a regulation be drawn which would guide an area director in issuing a legal aid certificate. The spirit of this regulation should prevent the spending of public monies on proceedings of a frivolous nature or, are such that no reasonably minded paying client would undertake because the result obtained would not be worth the expense of gaining it.

The Committee requested the Chairman to interview lawyers for the position of area director for York County.

Subsequently on that date, the Sub-Committee on Criminal Tariffs met and discussed the draft of the tariff.

The Committee met on Wednesday, September 21st, 1966 to review the first draft of the Legal Aid Regulation.

The Committee approved the Chairman's recommendation that the firm of Clarkson Gordon & Co., Chartered Accountants, be retained to act as consultants for the Legal Aid Fund with respect to the establishment of accounting procedures and the selection of personnel to supervise financial and accounting arrangements.

A Sub-Committee of the Legal Aid Programme Committee met on Saturday, October 22nd, 1966 to consider, edit and revise the draft Regulation.

A representative of the Clarkson Gordon firm also attended the meeting, by invitation, to discuss the appointment of a Controller. Such matters as statistics, volume, banking arrangements, accounting procedure, planning and forecasting through statistical information were discussed.

The Sub-Committee requested Clarkson Gordon & Co. to retain Woods Gordon & Co. to seek suitable applicants for the position of Controller for the Legal Aid Fund.

The Sub-Committee on the Civil Tariff met on Saturday, November 4th, 1966 to review the tariff. The Sub-Committee recommended that a copy of the tariff be forwarded to the President of each Law Association for comment from the senior members of the local Bar. The Sub-Committee on the Criminal Tariff had previously sent a draft tariff to a number of lawyers practising in different parts of the Province with wide experience in criminal defence work, for their comments.

A Sub-Committee of the Legal Aid Programme Committee met on Saturday, November 11th, 1966 to consider, edit and revise the Regulation.

Messrs. Aiken and Humphreys of the Department of Transport attended the meeting at the invitation of the Sub-Committee.

On November 11th, 1966 the Chairman and a member of the Programme Committee, interviewed two applicants, being those whom Woods Gordon & Co. thought to be most suitable for the position of Controller from a number of qualified applicants.

A Sub-Committee of the Legal Aid Programme Committee met on December 3rd, 1966 to consider, edit and revise the Regulation, and the Chairman reported to the Sub-Committee, and the Sub-Committee recommended, that Mr. D. J. McCourt be appointed Controller for the Legal Aid Fund, and that a secretary for him be appointed.

Approval of his appointment was subsequently obtained.

A Sub-Committee of the Legal Aid Programme Committee met on Thursday, December 8th, 1966 and Friday, December 9th, 1966 to consider, edit and revise the Regulation.

The Legal Aid Programme Committee met on Friday, December 16th, 1966; Wednesday, December 28th, 1966; Thursday, December 29th, 1966; Tuesday, January 3rd, 1967; Wednesday, January 4th, 1967; Saturday, January 7th, 1967; and Saturday, January 14th, 1967 to deal with the following matters:

a) review the work of the sub-committees;
b) consider, edit and revise the draft Regulation;
c) consider, edit and revise the schedules of fees in criminal and civil matters in the light of comments received from various Law Associations and members of the profession to which the tariffs had been sent;

The Committee also considered the recommendations made by each county and district law association for the position of Area Director.

In conclusion, therefore, your Committee submits its report and in so doing recommends that:

1) Convocation approve in principle and form The Legal Aid Regulation attached hereto and marked "A";
2) the appointment of the Area Directors as set out in the list attached hereto and marked "B";
3) the appointment of Mr. D. J. McCourt as Controller of the Legal Aid Fund, as of January 9th, 1967.
4) the appointment of a Secretary to the Provincial Director of Legal Aid, as of July 1st, 1966.
5) the appointment of a Secretary to the Controller of the Legal Aid Fund, as of January 9th, 1967.

Convocation began considering the Regulation, section by section, making certain revisions therein.

CONVOCATION ADJOURNED AT 5:30 p.m. AND

Moved by Mr. Gray, seconded by Mr. Bowlby, that Convocation approve, in form and principle only, The Legal Aid Regulation (Sections 1 to 126) as revised by Convocation together with Schedule "A" (Legal Aid Areas) and the Forms, and that the Regulation, Schedule "A" and the Forms be forwarded to the Attorney General for approval by the Lieutenant Governor in Council;

That Convocation also approve the names of the Area Directors set out in the list attached to the Report marked "B", and directs that it be forwarded to the Attorney General for his approval. *Carried*

Moved by Mr. Martin, seconded by Mr. Dubin, that the list of Area Directors marked "B" attached to the Report, have certain names added. *Carried*

Convocation adjourned to Friday, January 27th, 1967 at 10:30 a.m. when the following members were present: Messrs. O'Brien (Treasurer), Ford, Goodman, Gray, Levinter, Robins, Sheard and Strauss.

Certain further revisions were made in the Regulation.

The list of Area Directors (Schedule "B") was given final approval.

Convocation considered Schedules B, C, D, E and F of the Regulation, and made revisions therein.

Moved by Mr. Gray, seconded by Mr. Sheard, that Convocation approve in form and principle Schedules B, C, D, E and F of the Regulation as revised by Convocation, and that the Schedules be forwarded to the Attorney General for approval by the Lieutenant Governor in Council.

Carried

Convocation records its appreciation and indebtedness to the Legal Aid Programme Committee, and asks that these be conveyed to the following members of the Committee who are not Benchers: Messrs. Merien Borczak, S. A. Caldbick, Elmore Houser, D. A. Keith, R. F. Reid, Charles Sale and W. H. Waugh.

CONVOCATION THEN ROSE

"BRENDAN O'BRIEN"
Treasurer

THE DETAIL OF THE LEGAL AID REGULATION IS OMITTED

SCHEDULE "B"

RECOMMENDATIONS RECEIVED FROM LAW ASSOCIATIONS FOR AREA DIRECTOR

Brant County Law Association	Kenneth Patrick Lefebvre, Barr.
Bruce County Law Association	W. S. Forrester, Barr.
Carleton County Law Association	James B. Chadwick, Barr.
Cochrane District Law Association (Timmins-Porcupine)	J. Andre Cousineau, Barr.
Dufferin County Law Association	Alex. George Bennett Campbell
Elgin County Law Association	Alex. P. Tisdall, Q.C.
Essex County Law Association	Mrs. Audrey Rosenthal, Barr.
Frontenac Law Association	D. G. Cunningham, Q.C.
Grey County Law Association	Frederick T. Egener, Barr.
Haldimand County Law Association	A. Earl Catherwood
Halton County Law Association	Warren L. Durham, Barr.
Hamilton Law Association	Frank Weatherston, Q.C.
Hastings & Prince Edward Law Association	E. Ormonde Butler, Q.C.
Huron County Law Association	William M. Prest, Barr.
Kenora District Law Association	Jack K. Doner, Barr.
Kent County Law Association	Douglas G. Kerr, Q.C.
Lambton County Law Association	Raymond F. Wyrzykowski, Barr.
Lanark County Law Association	G. R. McLennan, Barr.
Leeds & Grenville Law Association	Robert William Summerby, Barr.
Lennox & Addington Law Association	Harold Webster

Lincoln County Law Association	Thomas E. Quinlan, Barr.
Lindsay Law Association (Victoria County)	Donald J. Warner, Barr.
Middlesex Law Association	Mrs. Greta Grant
Muskoka District Law Association	Peter B. Stuart, Barr.
Nipissing District Law Association	Richard D. Tafel, Barr.
Norfolk County Law Association	James R. Tyrrell, Barr.
Ontario County Law Association	G. K. Drynan, Q.C.
Oxford County Law Association	James D. Carnwath, Barr.
Parry Sound District Law Association	W. H. Green, Q.C.
Peel County Law Association	Gerald H. Marsden, Barr.
Perth County Law Association	Maurice W. Andrew, Q.C.
Peterborough County Law Association	W. C. Grant, Barr.
Prescott & Russell Law Association	Roch Lalande, Barr.
Rainy River District Law Association	J. C. Smith, Q.C.
Renfrew Law Association	Leo. P. LaFrance, Q.C.
Simcoe County Law Association	J. Gladstone Currie, Q.C.
Sault Ste. Marie Law Association (Algoma District)	Raymond Stortini, Barr.
Stormont, Dundas & Glengarry Law Association	Ronald J. Adams, Barr.
Sudbury Law Association	Richard J. Huneault, Barr.
Temiskaming District Law Association	Peter James Burns, Q.C.
Thunder Bay Law Association	Barton B. Tremblay, Barr.
Waterloo County Law Association	Ernest Frederick West, Barr.

Welland County Law Association
William Herbert Waugh, Barr.
Wellington Law Association
Henry Carman Waind, Barr.
York County Law Association
John Magwood, Q.C., Director

Francis Joseph Cornish, Q.C.,
Deputy Director.

Approved as amended.

MEETING OF CONVOCATION

Friday, 20th January 1967
10:30 a.m.

PRESENT:

Messrs. Beament, Bowlby, Bull, Callon, Cass, Chappell, Chitty, Common, Creighton, Dubin, Evans, Fennell, Ford, Gray, Gregory, Harris, Howland, Maloney, G. A. Martin, W. S. Martin, MacKinnon, Raney, Robins, Roebuck, Slemin, Steele, Strauss, Thom, R. F. Wilson, Weir.

Mr. R. F. Wilson, Q.C. was elected Chairman.

The Chairman announced that the Treasurer was unable to be present owing to the death of his brother, Mr. Charles C. O'Brien. The Secretary was requested to write to Mr. O'Brien and extend to him the sincere regret and sympathy of Convocation.

The Minutes of the Meeting of Convocation of the 18th November 1966 and of the Special Meeting of Convocation of the 22nd December 1966, were read and confirmed.

The Chairman announced the revised dates for the Call to the Bar ceremony, 17th March 1967; and the Academic Convocation for the granting of degrees, 22nd June 1967.

ELECTION OF BENCHER

Mr. Arthur Sydney Pattillo, Q.C. was elected a Bencher to fill the vacancy resulting from Mr. R. F. Wilson, Q.C. becoming a Life Bencher on the 17th January 1967.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on Thursday, the 12th of January, 1967, the following members being present: Mr. S. L. Robins, Vice-Chairman in the Chair, and Messrs. Callon, Cass, Dubin, Henderson, MacKinnon, Sheard, Slemin, Thom, Weir and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the Committee's approval of the following appointments to the Faculty of the Bar Admission Course:

Corporation Law

J. A. Weir, Esq., as an Instructor.
R. A. Donaldson, Esq., as a Stand-by Instructor.

Surrogate Court Practice

Matthew Sheard, Esq., as an Instructor.
C. T. Grant, Esq., as an Instructor.

Domestic Relations Section

J. C. MacDonald, Esq., as an Instructor.
J. D. Sheard, Esq., as a Stand-by Instructor.

Approved

STUDENT LOAN FUND

The Loan Committee recommends that 9 loans totalling $1,875.00 be made to students in the first and second years of Osgoode Hall Law School to be secured by promissory notes in each case in accordance with the Regulations.

Approved

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

The Faculty recommends the renewal of the appointment of *Professor Garry D. Watson* for the Academic Session 1967-68, commencing 1st July, 1967. Professor Watson was originally appointed for a one year definite term.

APPROVED, subject to the approval of York University and of the Finance Committee.

The Faculty recommends the appointment of *Stanley Martin Beck* as Full Professor for the academic year 1967-68, commencing 1st July, 1967.

APPROVED in principle subject to the approval of York University and the approval of the Finance Committee.

The Faculty recommends the appointment of *Donald J. M. Brown* as an Assistant Professor for the academic year 1967-68, commencing 1st July, 1967.

APPROVED in principle, subject to the approval of York University and the approval of the Finance Committee.

Library Staff

The Faculty recommends the appointment of *Miss Priestly* as Assistant Law Librarian and Assistant Professor for the academic year 1967-68, commencing 1st July, 1967.

At its meeting on 10th November, 1966, the Committee considered recommendations from Professor Halevy and approved of his hiring an additional professional librarian to be called a "Readers Services Librarian".

APPROVED, subject to the approval of the Finance Committee.

Administrative Staff

A memorandum from the Acting Dean is before the Committee relating to the salaries of the administrative staff in the Law School and containing recommendations for increases.

Your Committee recommends that the matter be referred to the Salary Sub-Committee of this Committee.

ADMISSIONS COMMITTEE — Mr. Howland

Your Committee met on the 12th of January, 1967, the following members being present: Mr. Terence Sheard, Chairman, and Messrs. Bull, Cass, MacKinnon, Robins and R. F. Wilson.

ADMISSION OF STUDENTS-AT-LAW

BAR ADMISSION COURSE

The following candidate having complied with the relevant regulations, paid the required admission fee and filed the necessary papers, applies for admission to the Law Society as a student-at-law in the Bar Admission Course, as of September 1st, 1966:

Under Bar Admission Course Regulation — Part II — No. 2

356. MICHENER, Charles Gordon, B.Sc. Toronto 1962, LL.B. Toronto 1966.

Approved

The Committee considered applications to transfer from candidates in New Brunswick, England, and India and made recommendations thereon.

Report of the Examining Board

The report of the examinations held in January, 1967, is before the Committee. The following candidates have passed:

Judson Graham Day
Frederick James Holmes
Corinne Robertshaw Parkin

Approved

THE REPORT WAS ADOPTED

FINANCE COMMITTEE — Mr. W. S. Martin

Your Committee met on the 12th January 1967, the following members being present: Messrs. R. F. Wilson (Chairman), Common, Gray, Harris, Henderson, W. S. Martin, Sheard, Slemin, Steele and Thom.

Accounts

The Secretary reports that from the 1st December to the 31st December 1967 accounts, including Library Accounts, properly approved, to the amount of $69,521.07 have been paid.

The Secretary also reports that from the 1st December to the 31st December 1967 Legal Aid accounts to the amount of $2,229.72 have been paid. *Received.*

Rolls and Records

The Secretary reports:

Deaths

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

A. Roy Kinnear, Toronto	Called—23 May 1918 Deceased—12 December 1966.
John E. Hare, Delhi	Called—18 November 1926 Deceased—14 December 1966
S. R. Broadfoot, Q.C., Ottawa (Honorary Life Member)	Called—26 December 1913 Deceased—17 December 1966

Walter S. Jenkins, Willowdale	Called—5 October 1922 Deceased—26 December 1966
Charles H. J. Bowyer, Q.C., Brampton	Called—15 June 1922 Deceased—3 January 1967
John R. Stirrett, Q.C., Toronto	Called—23 December 1926 Deceased—4 January 1967.

Noted

REFUNDS — LAW SCHOOL FEES

Pursuant to a policy adopted by the Committee on the 13th October 1965, refunds were made to three students who dropped out of the course.

OSGOODE HALL LAW SCHOOL LOAN COMMITTEE

presents a Report dated the 3rd January 1967 and signed by Messrs. W. G. C. Howland, S. L. Robins, Alan W. Mewett and R. J. Gray. The Report authorizes loans to nine students in the first and second years totalling $1,825.00.

HONORARY LIFE MEMBERS — *Class of 1913*

Correspondence is before the Committee relating to those members of the Class who started lectures in the Fall of 1913 but who were not Called with those of the class whose education was not interrupted by war service and who have now been granted honorary life membership.

The question before the Committee is whether those who by reason of their war service were called after their confreres, should be granted honorary life membership as if they had been called in due course.

Your Committee recommends that the matter be referred to a Sub-Committee composed of Messrs. Gray (Chairman), Common and Slemin, to recommend an appropriate amendment to the Rule respecting Honorary Life Membership.

SUB-COMMITTEE ON STUDENTS' CAFETERIA

Your Sub-Committee on Students' Cafeteria begs leave to report as follows:

Your Sub-Committee has arranged for termination of the services of the present caterers, and accepted the proposal of Versafoods Services Limited who began operating the students' cafeteria on the 3rd January 1967.

"W. G. C. Howland"
Chairman

Approved

THE PROPERTY OF
THE LAW SOCIETY

CANADIAN BAR ASSOCIATION — *Mid-Winter Meeting*

The Mid-Winter Meeting of the Canadian Bar Association is being held at the Chateau Laurier, Ottawa, on February 3-4, 1967.

The Secretary asks authority to make arrangements for the usual luncheon to be given by the Law Society for members of the Canadian Bar Association. *Approved*

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for functions on the following dates: Nov. 29, 1966, Nov. 16, 1966, Jan. 25, 1967. *Approved*

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE — Mr. Gray

GENERAL REPORT

Your Committee met on Thursday the 12th of January 1967 at 4:00 o'clock in the afternoon, the following members being present: Mr. W. Gibson Gray, Chairman, and Messrs. Bull, Chappell, Common, Dubin, Henderson, MacKinnon, Robins and Thom.

COSTS — PUBLICATION

Convocation suggested that the Discipline Committee consider and recommend what the practice should be with respect to publication of reprimands in Convocation and with respect to costs. With respect to the question of publication, your Committee recommends that reprimands in Convocation should be published in the minutes of Convocation, unless Convocation otherwise directs. With respect to costs, your Committee recommends that it be left to your Committee to make specific recommendations in each case.

COSTS — RULES RESPECTING ACCOUNTS

Under Rule 11(2) of the Rules Respecting Accounts, the expense or part of the expense of any investigation made under Rule 11(1) may be ordered by the Discipline Committee to be paid to the Society by the member whose books and accounts have been investigated. Your Committee was asked to recommend whether in all instances the total cost of the audit is to be borne by the solicitor concerned or whether there is to be a decision made in each individual case. It is recommended that your Committee make specific recommendations in each case.

THE REPORT WAS ADOPTED

FINANCIAL SUMMARY — COMPENSATION FUND

July 1st, 1966 to December 31st, 1966

Balance on hand June 30th, 1966		488,699.96
Receipts		
Fees	327,240.00	
Investment Income	10,787.31	
Bank Interest	294.10	
Recovery	97.14	338,418.55
		827,118.51
Disbursements		
Grants	36,735.05	
Reporters, transcripts, counsel fees, &c.	5,721.03	
Refund	65.00	42,521.08
Balance in Fund December 31st, 1966		784,597.43
Investments		
Par Value		390,000

Applications Refused or Withdrawn

During the period of July 1st, 1966 to December 31st, 1966, seven applications totalling $34,768.15 were refused or withdrawn.

Outstanding Unproven Applications
to December 31st, 1966 — 836,732.64.

THE REPORT WAS ADOPTED

Re: William Martin Penman, *Weston, Ontario*

Your Committee reported that after due inquiry it found the solicitor guilty of conduct unbecoming a Barrister and

Solicitor in that he pleaded guilty and was convicted on the 17th of January 1966 upon charges that he unlawfully did make false or deceptive statements in returns required to be filed by Section 44 of the Income Tax Act, to wit his T1 General Returns for the years 1964, 1963, 1962, 1961, 1960, 1959, 1958 and 1957, and recommended that he be reprimanded in Convocation, and that he be required to pay the costs of the Society's investigation, including the Society's counsel fee.

Moved by Mr. Gray, seconded by Mr. Sheard that the Report be adopted.

Mr. William Martin Penman attended with his counsel, B. W. Rich, Q.C. and W. R. S. Penman, but they made no submissions.

Moved in amendment by Mr. Dubin, seconded by Mr. Callon, that the recommendation of publication be deleted, but that notice as contemplated by the Report be given. The amendment was lost.

The solicitor re-attended with his counsel, and was reprimanded by the Chairman.

RE: ERIC ROYAL MARSDEN, *Toronto*

Your Committee reported that after due inquiry it found the solicitor guilty of conduct unbecoming a Barrister and Solicitor in that he pleaded guilty and was convicted on the 16th September 1963 upon charges that he, during the years 1954, 1955, 1956, 1957, 1958, 1959 and 1960 did make false or deceptive statements in Returns filed as required by Section 44 of the Income Tax Act, R.S.C. 1952, Chapter 148, as amended, contrary to paragraph (a) of Subsection (1) of Section 132 of the said Act, and recommended that he be reprimanded in Convocation, and that he be required to pay the costs of the Society's investigation, including the Society's counsel fee.

The solicitor attended without counsel and addressed Convocation.

The Solicitor re-attended and was reprimanded by the Chairman.

PROFESSIONAL CONDUCT COMMITTEE — Mr. Fennell

Your Committee met on the 12th of January, 1967, the following members being present: Mr. S. E. Fennell, Chairman, and Messrs. Bull, Callon, Gray, MacKinnon, Slemin and Strauss.

Your Committee has given answers to a number of enquiries on professional matters that have been raised by various members of the Society.

1. RULING 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

At its meeting on the 9th of June 1966, your Committee recommended the appointment of a Sub-Committee to formulate principles under which publications may be approved under Ruling 16. The said Sub-Committee was in fact appointed and in the interim has made two Reports to your Committee. A third Report has now been received and it has been adopted by your Committee who recommends it to Convocation as follows:

> "TO THE PROFESSIONAL CONDUCT COMMITTEE
>
> The SUB-COMMITTEE ON RULING 16 — SUBSECTION 3 — DIRECTORIES begs leave to report:
>
> Your Sub-Committee met on Wednesday the 28th day of December, 1966, at 10:00 o'clock in the forenoon, the following members being present: Mr. Nathan Strauss, Chairman, and Messrs. Gray and Maloney.
>
> Your Sub-Committee met to consider applications from various publishing companies with respect to obtaining the necessary approval to enable the members of the profession in Ontario to insert their professional cards in their publications. Your Sub-Committee recommends that the following publications be approved:
>
> 1. The Attorney's Register
> 2. Hine's Insurance Counsel
> 3. The Columbia List
> 4. The Probate Counsel
> 5. The Clearing House Quarterly
> 6. The C.R.C. Law List
> 7. The British Columbia Legal Telephone Directory
> 8. A.C.A. List
> 9. Forwarders List of Attorneys
> 10. The Canadian Bar
> 11. The Lawyers' List
> 12. American Bank Attorneys

13. The Insurance Bar
14. The Canadian Insurance Claims Directory
15. The Canadian Chartered Accountant.

With respect to *The Canadian Chartered Accountant* your Sub-Committee's recommendation is based on their opinion that this is a professional journal and therefore in a category to which approval can be given.

The publication *Canada Bonded Attorney* was rejected by your Sub-Committee on the grounds that the questionnaire supplied by applicant does not clearly indicate compliance with Society's Rules.

The publication *Stone & Cox General Insurance Year Book* was rejected by reason of contents of page 85 which prefaces the list of lawyers in Canada and which reads as follows:

> "Alphabetically arranged by provinces, and cities, this list contains only the names of legal firms which have been recommended to us as being capable of acting professionally for insurance companies in their particular localities. The list has been chosen with care, and the publishers feel that every firm may be relied on to carry out all commissions they may be given with competence."

All of which is respectfully submitted."

2. RULING 7 — SOLICITORS' UNDERTAKINGS

The Professional Conduct Committee in considering the effect of Ruling 7, expressed the opinion that when a solicitor gives a personal undertaking he assumes a personal responsibility. He cannot relieve himself from his responsibility by requiring the party in whose favour the undertaking was given to look to a Bonding Company, Insurance Company, or any third person for performance of the undertaking.

Regardless of the rights and obligations as between the solicitor and his Insurers or regardless of the terms of the insuring contract, when a personal undertaking of this nature has been given nothing less can be expected than that it will be fulfilled. The solicitor's responsibility under Ruling 7 cannot be transferred to Insurers once it is personally assumed.

Moved by Mr. Fennell, seconded by Mr. Strauss that the Report be adopted.

The Report after amendment was adopted.

CONVOCATION ADJOURNED AT 1:05 P.M.

The Benchers entertained at luncheon the Honourable Mr. Justice Arthur Kelly.

CONVOCATION RESUMED at 2:35 P.M., a quorum being present, including the Treasurer who took the Chair.

LIBRARY COMMITTEE — Mr. Steele

Your Committee met on Thursday, the 12th January 1967, the following members being present: Messrs. Steele (Chairman), Strauss (Vice-Chairman), Harris, W. S. Martin and Slemin.

ACCOUNTS

The amount spent for books to December 31, 1966 amounted to $8,367.67. The Phillips-Stewart expenditures to the same date were $18,464.13. *Noted.*

UNIVERSITY OF TORONTO

The University of Toronto Assistant Librarian for Book Selection, was invited to go over some of the Great Library's non-legal works. He has offered to take the following thus making shelf space available for other purposes:

Book Prices Current, 1887-1928
Chambers' Journal, 1844-1872
Edinburgh Review, 1802-1878
Literature (American ed.) v. 1-9, 1897-1902
Literary Digest, 1903-1934
Maclean's
Geological Survey of Canada, Annual Report, 1853-1916
Report of the Superintendent of Insurance, Dominion of Canada, 1883-9
American Book Prices Current, 1895-1915
Book Auction Record, v. 1-17
Annual Register, 1753-1927
Canadian Annual Review, 1903-1938
Journal of American Folklore, v. 31-37
Post Magazine, 1874-6
Quarterly Review, v. 1-253
Canadian Almanac (no dates) approximately 20 vols.
Oxford University Calendar, 1896-1934
Whitaker's Almanac, 1890-1960

Irish Law Lists
Scottish Law Lists
Irish law calendar and directory
The Bar Register (American)
The Empire Law Lists.

It is suggested that the Great Library retain copies of law lists for the previous five years of jurisdictions other than Canada.

Your Committee recommends to Convocation the approval of the above arrangements.

GIFTS AND DONATIONS

Mr. Hugh Silverman has kindly donated three volumes of statutes to the Great Library: The Statutes of Ontario, 1879; the Statutes of Ontario, 1898; and a volume of The Acts of the Parliament of the Dominion of Canada . . . relating to Criminal Law, 1887. Mr. Silverman has been suitably thanked.
Noted

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE — Mr. W. S. Martin

Your Committee met on the 12th January, 1967, the following members being present: Messrs. Martin (Chairman), Goodman, Henderson and Evans.

PAMPHLETS: The Committee considered whether additional copies were needed of the pamphlets — "BUYING A HOME", "YOU AND YOUR LAWYER", "DON'T POSTPONE MAKING YOUR WILL" and recommends that the matter be reconsidered if a demand for the pamphlets develops.

AREAS WITHOUT LAWYERS: Mr. A. G. Dequanne, the Clerk Treasurer of Chelmsford, Ontario write to the Society some time ago to say that the nearest legal office was twenty miles away in Sudbury and that some 5,000 families in his area had no convenient access to a law office. He asked for some assistance from the Society.

The Treasurer suggested that this matter and the larger question that it raises be considered by this Committee.

Your Committee recommends that the Secretary write to the President of the Local Bar Association in Sudbury and ask him for his suggestions and that the Secretary write to the President of each local Bar Association to find out whether an area exists in their respective districts that needs a lawyer.

Your Committee further recommends that the students in the Bar Admission Course be advised of areas which require the services of a lawyer.

THE REPORT WAS ADOPTED

UNAUTHORIZED PRACTICE COMMITTEE

Mr. W. S. Martin

Your Committee met on the 12th of January, 1967, the following members being present: Mr. S. E. Weir, Chairman, and Messrs. Callon, Chappell, Evans, Fennell, W. S. Martin, Slemin, Steele and Strauss.

2. NATIONAL CREDITORS SERVICE

Your Committee considered a request from a law firm in Kitchener asking approval of a Notice to be used by a collection agent that had a flamboyant heading "COURT ACTION NOTICE". Many of these have been before your Committee in the past. The Secretary was asked to write to the law firm in Kitchener stating that your Committee could not approve the form as it was evidently devised to look like a Court paper.

THE REPORT WAS ADOPTED

COUNTY LIBRARIES COMMITTEE — Mr. Harris

Your Committee met on the 12th day of January 1967, the following members being present: Messrs. Harris (Chairman), Strauss (Vice-Chairman), Evans, Fennell, W. S. Martin and Steele.

ANNUAL GRANT

Your Committee reports to the Finance Committee that the Bruce Law Association has filed its annual return for the year 1966 in accordance with Rule 103, and has complied in all other respects with the requirements of the Rules, and recommends that a grant be made to it of 651.67.

THE REPORT WAS ADOPTED

The Treasurer suggested that a small special committee on public relations be formed to advise on public relations matters in connection with the new legal aid scheme.

Moved by Mr. Howland, seconded by Mr. Robins, that a Special Committee on Legal Aid Public Relations be appointed composed of Joseph Sedgwick (Chairman), and Messrs. Dubin and Maloney. *Carried*

"Brendan O'Brien"
Treasurer.

MEETING OF CONVOCATION

Friday, 17th February 1967
10:30 a.m.

PRESENT:

The Treasurer, and Messrs. Arnup, Beament, Bowlby, Bull, Cass, Chitty, Creighton, Ford, Goodman, Gray, Harris, Henderson, Howland, Levinter, McCulloch, MacKinnon, McLaughlin, Pattillo, Raney, Robins, Sheard, Slemin, Steele, Strauss, Thom, Weir, Williston and R. F. Wilson.

The Minutes of the Special Meeting of Convocation of the 19th, 20th and 27th January, 1967, and of the regular Meeting of Convocation of the 20th January 1967 were read and confirmed.

COMMITTEES

Mr. A. S. Pattillo, Q.C. was appointed to the following Committees: Legal Education; Discipline; Legislation and Rules; and Public Relations.

LEGAL EDUCATION COMMITTEE — Mr. Howland

Your Committee met on the 9th of February, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, Cass, Creighton, Henderson, MacKinnon, Sheard, Slemin, Thom, Weir, and R. F. Wilson.

BAR ADMISSION COURSE

Faculty

Mr. Lloyd Houlden has resigned as Head of the Section on Creditors' Rights and Bankruptcy. Mr. Houlden has made an outstanding contribution during his years as the Head of this Course. Not least important has been the publication of all his material in a book which has now been sold to the profession in three different editions.

The Director recommends to the Committee the appointment of Mr. Douglas N. Macklem to succeed Mr. Houlden. He has been assistant to Mr. Houlden for the past several years and practises law with him in the firm of Messrs. Harries, Houser, Brown & Houlden.

To succeed Mr. Macklem as assistant the Director recommends Mr. David E. Baird of the same firm because he works closely with Mr. Macklem and has taken some part in organizing and preparing the material for several years.

BAR ADMISSION COURSE GRADING — MARKS

The question is before the Committee whether the students in the Bar Admission Course who neither fail nor achieve honours should be divided into Pass Class I and Pass Class II, or whether they should all simply be given the grade "Pass".

Your Committee recommends that the division into Pass Class I and Pass Class II be retained.

ADMISSION OF SPECIAL STUDENT

The Faculty requests the approval of F. J. Plummer, Ontario Regional Representative of the Superintendent of Bankruptcy, to attend as a special student the Course in Creditors' Rights in the Fall, 1967, on payment of the requisite fee ($50.00) with examination privileges.

Approved

APPROVAL OF FOREIGN DEGREES AND COURSES

The Faculty recommends the approval of the following foreign degrees for eligibility for admission to the Osgoode Hall Law School:

B.A University of Canterbury, New Zealand
B.Sc. Fresno State College, California, U.S.A.
LL.B. Aukland University, New Zealand
B.A. Hobart College, Geneva, New York, U.S.A.
B.A. St. Lawrence University, Canton, N.Y., U.S.A.
LL.B. Glasgow, Scotland

Approved

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

Professor P. S. A. Lamek. In a letter to the Acting Dean dated 16th January, 1967, Professor Lamek offers his resignation, effective 30th June, 1967.

Your Committee recommends that Professor Lamek's resignation be accepted.

Professor Walter Surma Tarnopolsky. The Faculty requests the approval of the appointment of Professor Walter Surma Tarnopolsky as an Associate Professor, effective 1st July, 1967.

Professor Tarnopolsky is at present an Associate Professor at the University of Saskatchewan. He has a B.A. (1952) Saskatchewan; A.M. (1955) Columbia; LL.B. (1957) Saskatchewan; LL.M. (1962) London and was a Newton W. Rowell Fellow (1960-1962). He has lectured from 1959-1961 at Ottawa and from 1962 to date at Saskatchewan. He is the author of the book "The Canadian Bill of Rights". He specializes in Conflicts, International Law and Constitutional Law.

LEAVE OF ABSENCE —

Professor David W. Mundell, Q.C.

At its meeting on 18th June 1964, the Legal Education Committee granted leave of absence to Professor David W. Mundell to permit him to accept an appointment as Assistant to the Royal Commissioner on Inquiry into Civil Rights in Ontario.

Professor Mundell now requests continuance of his leave of absence until 31st December 1967.

Approved

LL.B. DEGREE — RETROACTIVE CONFERMENT

On at least six occasions this Committee has considered the question of retroactive conferment of LL.B. degrees on those members of the Bar who have not already received the degree. The question arose whether the Society has power to grant the degree under The Law Society Act, and the Honourable Ivan C. Rand was asked for his opinion on this point. Mr. Rand's opinion is to the effect that the legislation is prospective and gives no right to the Society to confer the degree retroactively.

Your Committee reaffirms its opinion that the LL.B. degree be not conferred retroactively and that no steps be taken to seek an amendment to The Law Society Act respecting the granting of such degrees.

Moved by Mr. Howland, seconded by Mr. Robins, that the Report be adopted with the exception of the final paragraph relating to LL.B. Degrees — Retroactive Conferment.

Carried

The Treasurer then called for discussion of the final paragraph of the Report following which it was moved by Mr. Bowlby, seconded by Mr. McCulloch, that the final paragraph of the Legal Education Committee Report be amended by substituing therefor:

> "Be it resolved that the Degree of LL.B. be granted to those lawyers who on application can satisfy the Legal Education Committee that prior to entering and graduating from Osgoode Hall, they were graduates of a Faculty of Arts, Law, Medicine or Engineering of an Ontario University, or held similar degrees from Universities outside Ontario as are accepted by the Legal Education Committee; and that appropriate representations be made to the Legislature to secure the necessary amendments to The Law Society Act."

The amendment was lost, and the final paragraph of the Report was adopted.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met on the 9th February, 1967, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Bull, Cass, MacKinnon and Robins.

Call to The Bar and Certificates of Fitness

Transfers from Another Province

The following candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now apply for call to the Bar and to be granted Certificates of Fitness:

Judson Graham Day — Nova Scotia
Frederick James Holmes — British Columbia

Approved

Your Committee considered applications to transfer to practice in Ontario from lawyers from Cyprus, England and India and recommended in each case that the applicants be allowed to enter the Bar Admission Course. Two of the applicants asked to be excused from serving the articling period of the Bar Admission Course but in each case the Committee recommended against granting the exemption.

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on 9th February 1967, the following members being present: Mr. R. F. Wilson, Chairman, Terence Sheard, Vice-Chairman, and Messrs. Common, Gray, Harris, Henderson, Howland, Slemin, Steele, Thom and Weir.

ACCOUNTS

The Secretary reports that from the 1st January, 1967 to the 31st January 1967 accounts, including Library Accounts, properly approved, to the amount of $96,131.85 have been paid.

The Secretary also reports that from the 1st January, 1967 to the 31st January 1967 Legal Aid accounts to the amount of $798.93 have been paid.

Received

ROLLS AND RECORDS

The Secretary reports:

Deaths

That the following former members of the Law Society have died.

Robert D. Ruddy, Q.C., Whitby	Called — 18th September 1930 Deceased — 2nd October 1966
William L. Shortreed, Q.C., Ottawa	Called — 19th September 1947 Deceased — 10th November 1966
Harold Weil, Toronto	Called — 18th October 1945 Deceased — 13th December 1966
J. M. Kearns, Q.C., Guelph (Honorary Life Member)	Called — 5th December 1902 Deceased — 12th January 1967
Hamilton J. Stuart, Q.C., Toronto (Honorary Life Member)	Called — 18th September 1914 Deceased — 21 January 1967

Edgar Clement, Toronto	Called — 16 November 1939 Deceased — 23 January 1967
Hugh W. Grant, Orillia	Called — 15th September 1932 Deceased — 24th January 1967

Noted

REFUNDS — *Annual Fees*

Refunds were made to the estates of two members who died in January 1967, having paid their fees for the year.

PHILIPS-STEWART LIBRARY

Space and Shelving — Upon the recommendation of the Legal Education Committee, your committee recommends an expenditure of $4700.00 to instal steel shelving in the corridor outside the Phillips-Stewart Library.

LAW SOCIETY STAFF

The Secretary recommended increases in salary to certain of the Society's employees in the Bar Admission Course and in the Maintenance Staff, which were considered and approved.

STAFF CHANGES

With the approval of the Chairman of the Finance Committee, *Miss Louise Roach* has been engaged as clerk-typist in Mr. Anderson's office, as of the 16th January 1967.

Approved

Mr. Robert Jordan has given notice that he wishes to terminate his employment as of the 28th January 1967.

Noted

ARCHITECT'S FEES

The Committee considered and approved accounts rendered by the Society's architect, Arthur Heeney, Jr.

LEGAL MEETINGS AND ENTERTAINMENTS

Pursuant to the authority given by the Finance Committee, the Secretary reports that permission has been given for functions to be held on Feb. 10, 14, 17, 18 — March 20 — Oct. 21.

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE—Mr. Gray

Your Committee met on the 9th February 1967 the following members being present: Mr. W. Gibson Gray, Chairman, Mr. Gordon Ford, Vice-Chairman, and Messrs. Beament, Bowlby, Bull, Chappell, Common, Creighton, Goodman, Harris, Henderson, MacKinnon, Slemin and Thom.

RE: A MEMBER

At the January 1967 Convocation, the Chairman of this Committee reported that a member of the Society had not honoured undertakings given to Convocation. The matter was referred by Convocation to the Discipline Committee for consideration and report. The Committee has instructed the Secretary to issue a Notice of Complaint against the member for the breach of his undertaking to Convocation.

RULES RESPECTING ACCOUNTS — *Public Accountants*

Your Committee had drawn to its attention that Rule 9 of the Rules Respecting Accounts refers to the report required by the Society on or before the 30th of November in each year as being duly completed by a Public Accountant, while Rule 11 stipulates that a Chartered Accountant be utilized where superficial examination of solicitors' books and records did not permit their trust position to be ascertained readily.

Your Commmittee recommends that Rule 11 be amended to conform with Rule 9 by adding thereto after the words "Chartered Accountant" the words "or Public Accountant".

Moved by Mr. Gray, seconded by Mr. Ford, that the Report be adopted.

Moved in amendment by Mr. Beament, seconded by Mr. Pattillo, that Rule 11 of the Rules Respecting Accounts be amended by deleting the words "Chartered Accountant" wherever they appear, and substituting therefor the words "Public Accountant".

The Report as amended was adopted.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Gray

Your Committee met on the 9th day of February, 1967, the following members being present: Mr. S. E. Fennell, Chairman, Mr. W. G. Gray, Vice-Chairman, and Messrs. Bull, Ford, Howland, MacKinnon, Slemin and Strauss.

1. RULING 10 — SIGNS AND LETTERHEADS

The Report submitted to your Committee by its investigator with respect to signs displayed by members of the profession in the Metropolitan area, has now been considered and the Secretary is writing to the solicitors who appear to be in breach of Ruling 10 requesting their compliance with the Ruling.

2. RULING 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee recommends that the following publications be approved for insertion of professional cards by members:

The American Lawyers Quarterly
The Commercial Bar
Best's Recommended Insurance Attorneys
International Lawyers Law List
The National List
Canada Bonded Attorney
Stone & Cox General Insurance Year Book, Canada

3. MISCELLANEOUS

A Toronto solicitor has directed the following questions to the Committee:

1. Is there any statutory provision prohibiting a solicitor from being surety and/or depositing bail money in his own name for an accused whom he intends to and believes he will defend?

2. Is there any provision prohibiting a Justice of the Peace from refusing a solicitor as surety for an accused client?

3. Would a solicitor so doing be in breach of the law?

4. Is there anything ethically wrong or improper in a solicitor so acting?

It is not the function of this Committee to answer legal questions and the first three questions appear to come within this category.

With regard to the last question your Committee has considered

(a) that a Justice of the Peace or Court entertaining an application for bail has a discretion as to whether or not bail should be granted and if so, whether sureties are required. Where sureties are ordered, they must be *sufficient* in that they have the pecuniary ability to meet the debt which they acknowledge by entering into the recognizance. This sufficiency is to be determined by the Justice of the Peace, ordering the bail or accepting the recognizance, and by the Crown Attorney, pursuant to the Crown Attorneys Act, R.S.O. 1960, Chapter 82, s. 14(g). The exercise by the Justice of his discretion is wide and it does not appear that he can be *obliged* to accept any particular person as surety. However, he should exercise his discretion according to certain principles.

(b) that it has been generally accepted in practice that a solicitor should not act as surety.

Annotation. "Bail in Criminal Cases" by
Eric Armour, K.C., 47 C.C.C. 6

Mr. Armour sets forth a list of persons who should not be accepted as bail, including inter alia:

3. "The counsel or solicitor for the accused (Douglas on Summary Jurisdiction, 9th ed., p. 364; Anon (1773), Lofft, 263, 98 E.R. 642, Rex v. Scott Jervis, Q.B.D., Times, November 20, 1876). This is probably a salutory rule for the benefit and protection of counsel and solicitors against the importunities of their clients."

Russell's "The Magistrate" 2nd ed. p. 38

"It is inexpedient to admit the advocate of the accused as a surety."

(c) that it may be a solicitor acting as surety runs the risk of being in breach of the Criminal Code which provides:

Section 119

(1) "Every one who wilfully attempts in any manner to obstruct, pervert or defeat the course of justice is guilty of an indictable offence and is liable to imprisonment for two years."

(2) "Without restricting the generality of subsection (1), every one shall be deemed wilfully to attempt to obstruct, pervert or defeat the course of justice who in a judicial proceeding, existing or proposed,

(e) being a bondsman, accepts or agrees to accept indemnity, in whole or in part, from a person who is released or is to be released from custody under a recognizance."

Because of the fact that a solicitor or counsel has been retained and receives a consideration for his services, if those services extend to acting as surety, it might be concluded that the consideration would be in the nature of an indemnity and therefore put the solicitor or counsel in breach of the foregoing provision. This would be particularly so where the remuneration to the solicitor exceeds the amount of the bail acknowledged or deposited.

(d) that it is essential that a solicitor maintain an independent position identifying himself with the client's cause rather than with the client. In the event of default by the accused client the solicitor surety may well become suspect as a party to the default.

Your Committee is therefore of the opinion that a solicitor by becoming surety, or by depositing bail money in his own name may be guilty of professional misconduct or conduct unbecoming to a Barrister and Solicitor.

THE REPORT WAS ADOPTED

LIBRARY COMMITTEE—Mr. Steele

Your Committee met on the 9th February 1967, the following members being present: Messrs. Steele, Chairman; Common, Creighton, Harris, Slemin and Strauss.

ACCOUNTS

The amount spent for books to 31st January 1967 amounted to $9,589.11. The Phillips-Stewart Library expenditures to the same date were $22,656.81.

Noted

GIFTS AND DONATIONS

The Honourable Mr. Justice Laskin donated to the library a set of the Consolidated Statutory Rules and Regulations for Canada, 1942, and one of the Consolidated Regulations for Ontario, 1950.

Mr. Charles Mark, of the firm of Smith, Caudwell, Symmes & Ferron, also donated a number of old statutes and texts to the Great Library.

Mrs. F. Cawthorne forwarded a set of Blackstone's Commentaries on the Law of England, 6th ed., 1775, which was the gift of her late husband, Mr. Frederick Cawthorne, Q.C.

Noted with thanks

SUPREME COURT APPEAL CASES AND FACTS

The Microlex card coverage of Supreme Court of Canada Appeal Cases and Factums has been discontinued by Canada Law Book because of prohibitive costs. It will be necessary to revert to the former method of obtaining the cases and factums from the Supreme Court in Ottawa and having them bound, and your Committee so recommended.

LIBRARY STAFF

Miss Mary E. Grant, Cataloguer in the Great Library, who was hired on the 16th May 1966, has submitted her resignation effective April 28, 1967.

Your Committee recommends that her resignation be accepted, and that steps be taken to obtain a replacement, subject to the approval of the Finance Committee.

MISSING BOOKS

In the year 1966, 7 text books were taken from the Library without permission, and have not been returned. The books concerned are:

Denison, W. W. — Denison's Manual of Companies, 2d ed. 1928, 76309
De Smith, J. A. — Judicial Review of Administrative Action, c1959, 82404
Duncan, Lewis — Bankruptcy, 2d ed. 1933, 53760
Falconbridge, J. D. — The Law of Mortgages, 3d ed. 1942. 61393
Gosse, Richard — The Law of Competition in Canada. 1962. 80420
Jessup, P.C. — The Law of Territorial Waters and Maritime Jurisdiction. 1927. 53628
Maxwell, P.B. — Maxwell on the Interpretation of Statutes, 9th ed. 1946, 69848

Of texts taken in previous years, 13 were returned in 1966.

Noted

MUTILATED TEXTS

On two occasions recently it has been discovered that pages have been cut from American Reports. The most recent example concerned 119 Fed. Supplement, from which about 25 pages had been removed. The person responsible is being sought.

THE REPORT WAS ADOPTED *Noted*

COUNTY LIBRARIES COMMITTEE—Mr. Harris

Your Committee met on Thursday, the 9th February 1967, the following members being present: Mr. H. E. Harris, Chairman, and Messrs. Beament, Cass, Creighton, Fennell, Raney, Slemin, Steele, Strauss and Weir.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following County and District Associations have filed their annual returns for the year 1966 in accordance with Rule 103, and have complied in all other respects with the requirements of the Rules, and recommends that grants be made to them as follows:

Elgin	$ 800.00
Grey	$ 900.00
Leeds and Grenville	$ 825.00
Middlesex	$1,850.00
Northumberland and Durham	$ 991.67
Perth	$ 975.00
Welland	$1,850.00
York	$3,500.00

YORK NORTH LAW ASSOCIATION — *Proposed amendment of Rule 99(5)*

Your Committee considered correspondence from Thomas B. McPherson, Esq., an Ontario solicitor, who made representations on behalf of the York North Law Association which was formed in January 1964. Mr. McPherson was requesting the setting up of a County Library. He indicated that the Association had obtained assurance of adequate space for library facilities.

Your Committee appointed a sub-committee composed of Messrs. Strauss, Chairman, Cass and Creighton to study an amendment of Rule 99(5) to permit a branch of York County Library to be located in the north area.

THE REPORT WAS ADOPTED

LEGAL AID COMMITTEE—Mr. Levinter

Mr. Levinter, Chairman, presented the Report of the Provincial Director of Legal Aid under the voluntary plan, for the year 1966.

TO THE LEGAL AID COMMITTEE

The Provincial Director begs leave to present the fifteenth Legal Aid Report for the year 1966 under the voluntary plan.

Many of the local Legal Aid Directors commented that their report did not include all the voluntary legal aid services performed by members of the profession. Many lawyers do not extend their co-operation to include making a report to the local Director.

The York County Legal Aid office reported a total of 7,914 legal aid applications, of which 7,644 were eligible. The other counties and districts in Ontario reported a total of 7,658 legal aid applications, of which 6,390 were eligible. It is interesting to note that York County granted Legal Aid to 1,254 more applicants than all other counties and districts combined.

The County of Wentworth received 1,138 applications in 1966, and legal aid was granted to 1,027 applicants. The following counties recorded a substantial number of legal aid cases:

County	Number of Applications	Number of applicants granted assistance
Carleton	748	713
Middlesex	850	555
Essex	469	396
Ontario	501	385
Peel	346	318
Algoma	268	255
Peterborough	284	242
Thunder Bay	200	183

The following figures indicate the actual number of legal aid cases handled in Ontario during 1966 compared with previous years:

Actual Number of Legal Aid Cases	1966	1965	1964	1963	1962
Civil	9,450	11,788	10,284	10,300	7,210
Criminal	4,584	3,226	2,441	1,656	1,398

You will note that 11,788 persons received *civil* legal aid in 1965 and 9,450 in 1966; a decrease of 2,338.

A total number of 3,226 persons received *criminal* legal aid in 1965 and 4,584 in 1966; an increase of 1,358.

In 1966 a total number of 15,572 persons applied for Legal Aid in the Province. In 1965 a total of 18,625 persons applied for Legal Aid. It is interesting to note that for the year 1966, 3,053 fewer persons applied for Legal Aid than in the preceding year.

Attached to this report is a schedule setting out the counties and districts which provide Legal Aid in Ontario, showing the total number of applications received, the number of eligible applicants, the total number of civil actions handled and the total number of criminal actions handled.

The Law Society is indebted to all the local Legal Aid Directors and the local Legal Aid Committees who organized and carried out the voluntary scheme in their areas over the past years. It is impossible to estimate the millions of dollars in time given by the members of our profession under the voluntary plan.

The Society acknowledges with thanks, the financial aid provided by the Government and the Attorney General of this Province.

On behalf of the Legal Aid Committee and personally, I wish to thank the local Advisory Committees, the local Directors and the panel lawyers, for the dedicated assistance which they have given.

17th February 1967

"Andrew M. Lawson"
Provincial Director.

SCHEDULE

County/District	Total No. of Applications	No. of Eligible Applicants	No. of Civil Actions	No. of Criminal Actions
Algoma	268	255	175	80
Brant	188	143	115	28
Bruce	104	98	44	54
Carleton	748	713	348	365
Cochrane	18	18	6	12
Dufferin	35	35	15	20
Elgin	40	34	9	25
Essex	469	396	353	43
Frontenac	129	92	21	71
Grey	33	32	2	30
Haldimand	18	16	4	12
Halton	52	20	10	10
Hastings*	—	—	—	—
Huron	22	22	—	22

Kenora	131	70	—	70
Kent	43	14	6	8
Lambton	126	114	74	40
Lanark	32	23	8	15
Leeds & Grenville	49	46	10	36
Lincoln	64	57	28	29
Middlesex	850	555	425	130
Muskoka	221	221	193	28
Nipissing	31	13	—	13
Norfolk	200	200	100	100
Northumberland & Durham	37	27	8	19
Ontario	501	385	274	111
Oxford	33	28	4	24
Parry Sound	66	66	30	36
Peel	346	318	75	243
Perth	155	137	68	69
Peterborough	284	242	162	80
Prescott & Russell*	—	—	—	—
Rainy River*	—	—	—	—
Renfrew	16	16	10	6
Simcoe	385	261	126	135
Stormont, Dundas & Glengarry	117	104	—	104
Sudbury	109	77	55	22
Temiskaming	61	60	19	41
Thunder Bay	200	183	72	111
Victoria & Haliburton	29	26	7	19
Waterloo	105	90	47	43
Welland	110	71	30	41
Wellington	95	85	33	52
Wentworth	1,138	1,027	740	287
York	7,914	7,644	5,744	1,900
Total	15,572	14,034	9,450	4,584

*No report available.

THE REPORT WAS RECEIVED

CONTINUING EDUCATION COMMITTEE—Mr. Robins

Your Committee met on the 9th February 1967, the following members being present: Messrs. Robins, Chairman, Gray, Vice-Chairman, Bull, Cass, Howland, MacKinnon, Slemin and Thom.

CONTINUING EDUCATION LECTURES — 1967

At its meeting on the 13th October 1966 your Committee recommended that the subject for the Special Lectures in 1967 be — "Recent Developments In The Law — Part II", and that the lectures be given on March 10th and 11th, and March 17th and 18th, 1967.

The Committee submitted a detailed programme for approval, and recommended the registration fee remain at $15.00, and that the usual notices be given the profession in the Ontario Reports.

THE REPORT WAS ADOPTED

LL.B. DEGREE — RETROACTIVE CONFERMENT

The substance of Mr. Bowlby's motion having been considered and rejected when the Report of the Legal Education Committee was before Convocation, Mr. Bowlby withdrew his motion.

APPOINTMENTS TO RULES COMMITTEE

The resignations of Messrs. J. J. Robinette and R. F. Wilson from the Rules Committee were accepted, and Messrs. R. J. Rolls and J. J. Carthy were appointed to fill the vacancies for the remainder of the term which ends on the 1st July 1968.

CORRESPONDENCE

The Treasurer referred to the following correspondence:

Letter from A. M. Lawson, Esq., Director of Legal Aid, requesting approval of Convocation to the appointment of Mr. Hugh E. Fleming, Q.C. as Area Director for the Counties of Northumberland and Durham.

Moved by Mr. Howland, seconded by Mr. Levinter, that Mr. Hugh E. Fleming, Q.C. be appointed Area Director for the Counties of Northumberland and Durham.

Carried

Letter from Charles F. McKeon, Q.C. re Solicitors' Liability Insurance.

Moved by Mr. Goodman, seconded by Mr. Ford, that the Treasurer be authorized to appoint a committee of three to consider the question of solicitors' liability insurance.

CONVOCATION THEN ROSE

"Brendan O'Brien"
Treasurer

MEETING OF SPECIAL CONVOCATION

TUESDAY, 28TH FEBRUARY 1967
10:30 a.m.

PRESENT:

The Treasurer and Messrs. Bowlby, Common, Ford, G. A. Martin, MacKinnon, Roberts, Sheard and Strauss.

LEGAL AID PROGRAMME COMMITTEE

Mr. G. A. Martin, Chairman, presented the Report of the Legal Aid Programme Committee:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED:

The *Legal Aid Programme Committee* begs leave to report as follows:

Your Committee met on Friday, February 24th, 1967 to consider supplementary provisions in the Legal Aid Regulation. These provisions were adopted subject to editorial changes to make the language of the provisions conform to that of the Regulation adopted by Convocation on January 27th, 1967.

Your Committee recommends that Part I of the Regulation, Section 3, now read as follows:

PART I

ORGANIZATION AND DUTIES

3. The Law Society shall keep the following accounts and records of the transactions of the Fund, namely:
   - (a) all cash receipts and disbursements
   - (b) all cash advances made to Area Directors
   - (c) all cash advances made to solicitors and counsel on account of costs and disbursements payable under certificates
   - (d) certificates issued
   - (e) solicitors accounts received and approved
   - (f) accounts receivable including:
     - (i) amounts of clients contributions
     - (ii) amounts of costs awarded to clients
   - (g) administrative expenses, including:
     - (i) salaries, wages and other remunerations and deductions therefrom
     - (ii) travelling and out of pocket expenses of the treasurer, benchers, members of committees and administrative staff
     - (iii) cost of maintenance of office accommodation and operation including stationery and printing, maintenance of furniture and equipment, commmunications and rentals
     - (iv) costs of acquisition of furniture and equipment.
   - (h) inventory of property, furniture and equipment.

Your Committee further recommends that the existing Section 3 be renumbered "Section 4" and that the existing Section 4 be renumbered "sub-section 3" of the new Section 4.

Your Committee also recommends that the existing Section 85 now read as follows:

Banking

85. (1) All monies paid to or received in respect of the Fund shall be deposited forthwith in an account in a chartered bank, loan or trust company, or in the Provincial Savings Office, to be designated by the Legal Aid Committee.

(2) Every payment out of the Fund shall be made by a cheque drawn on the account referred to in sub-section (1) and in accordance with the provisions of sub-section 3.

(3) The signing officers for the Fund's bank account shall be any two of the Director, Controller and such other persons as the Legal Aid Committee may from time to time designate.

(4) The Law Society may authorize the signature of one or both signing officers to be printed, engraved, lithographed or otherwise mechanically reproduced in facsimile upon cheques drawn on the Fund for payment of outstanding accounts and indebtedness and every such facsimile signature shall for such purpose be deemed to be the signature of the person whose signature it reproduces and binding on the Law Society.

(5) A client's contributions to the Legal Aid costs shall be paid into the Fund in accordance with his agreement with the Law Society as set out in the certificate.

(6) The Director, with the approval of the Attorney General, may from time to time authorize the destruction of paid and cancelled cheques.

It is further recommended that the existing Section 86 be amended to read:

86. (1) Where a sufficient amount was not provided in the approved estimates and the public interest or the urgent requirements of the Fund necessitates further payments, the Attorney General upon the report of the Director as to the necessity of further payments and stating the reasons why the appropriation is insufficient and the amount estimated to be required, shall make application to the Treasury Board for an order authorizing payments to be made against such amount as he deems proper pursuant to the provisions of Section 30 of the Financial Administration Act.

(2) Subject to the approval of the Attorney General, the Legal Aid Committee upon the recommendation of the Director may from time to time authorize the writing off as uncollectable any amount payable by a client to the Law Society for the Fund.

The Committee adopted the suggestion that Form 2, being a part of the existing Regulation, be changed in the ultimate paragraph to read as follows:

> "I hereby undertake to comply with the Legal Aid Act and the Regulation made thereunder and to perform all duties undertaken by me as member of the panel while my name remains on it."

AREA DIRECTORS' REMUNERATION

Your Committee divided the Province into five salary scale groups as follows:

Group 1	$16,000.00	-	100%	or	5/5
Group 2	$12,800.00	-	80%	or	4/5
Group 3	$ 9,600.00	-	60%	or	3/5
Group 4	$ 6,400.00	-	40%	or	2/5
Group 5	$ 3,200.00	-	20%	or	1/5

Attached to the report, and marked "Exhibit A" is the list of Area Directors and their suggested salary groups.

All Area Directors, except the Toronto Area Director, are part-time positions. John Magwood, Q.C., the York County Area Director, is on a temporary basis. Mr. F. J. Cornish, Q.C., his Deputy and Associate Director, will become the York County Area Director when Mr. Magwood steps aside.

BANKING

The Committee recommends that the Bank of Montreal be appointed bankers to the Legal Aid Fund and that the Director and Controller be authorized to sign such supplementary banking forms as may be required. The Committee approved a suitable form of cheque.

STAFF APPOINTMENTS

The Programme Committee recommends the following staff appointments:

(1) Mr. N. Barry Lowe as Deputy Director to Mr. F. Weatherston, Wentworth County.

(2) Mrs. Lorna Stead, on a temporary basis to June 1st, 1967, as Secretary to Mr. John Magwood, Q.C., Area Director, York County.

(3) Mrs. Arleen Graham, the Accountant in the Director's office.

(4) Miss Rita Smith, as Secretary and Assistant to the Controller.

(5) Mrs. Joan Murphy as Secretary and Assistant to The Legal Accounts Officer.

(6) Miss Margaret McGinnity as the receptionist in the Director's office.

All of which is respectfully submitted.

24th February 1967.

"G. A. Martin"
Chairman

The Report was adopted, and the Regulation enacted in the form proposed.

Convocation approved the supplying of a copy of the Report to the Attorney General.

CONVOCATION THEN ROSE

"Brendan O'Brien"
Treasurer

MEETING OF CONVOCATION

Friday, 17th March 1967
10 a.m.

PRESENT:

The Treasurer, and Messrs. Beament, Bowlby, Callon, Cass, Chappell, Chitty, Clement, Common, Creighton, Evans, Fennell, Ford, Gray, Harris, Henderson, Howland, Levinter, G. A. Martin, W. S. Martin, MacKinnon, McLaughlin, Pattillo, Raney, Slemin, Steele, Strauss, Thom, and R. F. Wilson.

BENCHER

The Treasurer announced with regret the death of Robert Cockburn Hays, Q.C., a Bencher ex officio of this Society. Mr. R. M. W. Chitty, Q.C., who served for many years as a bencher with Mr. Hays, paid a warm tribute to his memory.

The Minutes of the Meeting of Convocation of the 17th February 1967, and of the Special Meeting of Convocation of the 28th February 1967, were read and confirmed.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on 9th day of March, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, Cass, Creighton, Henderson, MacKinnon, Pattillo, Thom, Slemin, Williston and R. F. Wilson.

BAR ADMISSION COURSE

EXAMINATION RESULTS — EIGHTH BAR ADMISSION COURSE

The report of the Director of the Bar Admission Course on the results of the examinations is submitted herewith showing that 42 have passed with honours, another 244 have passed, 8 have failed, and 1 is ungraded.

HONOURS

The following students are entitled to be passed with Honours.

1. Arthur Richard Andrew Scace
2. David Hinson Hill
3. Donald Harold Gordon
4. Iliff Lawrence Baxter Peck
5. Samuel Lavine
6. Pierre-Yves Boucher
7. Burton Bruce Clark Tait
8. Martin Norman Rain
9. John Douglas Lawson
10. Paul Harold Megginson
11. Arnold Lewis Cader
12. Christopher Allan Fournier
13. Paul Theodore Matlow
14. Barry Stephen Arbus
15. Paul Aylward Carroll
16. Michael Donald Lipton
17. Theadore Jehyda Feldman
18. William Joseph Simpson
19. Norman Bennett
20. John Garnet Pink
21. Albert Gnat
22. Paul Mansell Moore
23. George Mahood Thomson
24. Robert James Abbey
25. John Walter Erickson
26. William George Irwin
27. Robert Yvon Joseph Arcand
28. Joseph John Peter O'Donoghue
29. Jack Alan Walker
30. Barry Alan Cohen
31. William Lindsay Hewson
32. Benjamin John Hutzel
33. William Richard Reed
34. Richard John Gathercole
35. Lionel Shael Miskin
36. Barry Lawrence Tunney
37. Stephen Vaughan Arnold
38. Barry Winston Earle
39. Elizabeth Alice MacNab
40. Alan Stanley Price
41. Peter Kirby Connor
42. Robert Ian Morrison

Approved

AWARDS

The following students are entitled to prizes:

The Treasurer's Medal
Arthur Richard Andrew Scace

The Law Society First Prize — $300
Arthur Richard Andrew Scace

The Law Society Second Prize — $200
David Hinson Hill

The Law Society Third Prize — $100
Donald Harold Gordon

The Lawyers Club First Prize — $100
Arthur Richard Andrew Scace

The Lawyers Club Second Prize — $50
David Hinson Hill

The Criminal Procedure Prize — Textbook and Balance of Trust Income — donated by Joseph Sedgwick, Esq., Q.C.
Arthur Richard Andrew Scace

The Commercial Law and Company Law Prize — $200 donated by Messrs. Day, Wilson, Campbell & Martin
Donald Harold Gordon

The Reading Law Club Prize — for highest mark in Civil Procedure — $50
Arthur Richard Andrew Scace

The Reading Law Club President's Prize — Case Note-book
Arthur Richard Andrew Scace

Approved

OSGOODE HALL LAW SCHOOL

ARTICLING — SURVEY

This Committee had before it a report on the survey which was carried out by students and was presented by Mr. George Elliott, President of the Osgoode Hall Legal & Literary Society.

Your Committee recommends that the report of the survey be received and the student be advised that the Society has no jurisdiction to recommend to law offices the rate of pay to be paid law students.

PHILLIPS STEWART LIBRARY

Appointment of Cataloguer

Professor Halevy requests the appointment of Mrs. Thoburn as the Cataloguer of the Phillips Stewart Library to replace Mrs. Phillips who has resigned. *Approved*

Appointment of Readers' Services Librarian

Professor Halevy requests the appointment of Miss J. P. Morgan as the Readers' Services Librarian. *Approved*

APPROVAL OF FOREIGN DEGREES AND COURSES

The Faculty requests the approval of the following foreign Degrees for eligibility for admission to the Osgoode Hall Law School:

B.E. (Civil) University of Poona, India
B.A. Vassar College, Poughkeepsie, New York.

Approved

ACADEMIC REGULATIONS

At its meeting on 12th January, 1967, the Acting Dean submitted a document entitled "Academic Regulations" which had been adopted by the Faculty on 2nd November, 1966, and which it proposes to bring into effect in the academic session 1967-68. The Regulations relate to the review of marks and petitions, supplemental examinations, aegrotat standing and failures.

Your Committee recommends that the regulations be approved subject to the approval of York and subject to the restriction that they not apply to the present students but only to incoming students who have notice of them by publication in the Osgoode Hall Law School calendar.

THE REPORT WAS ADOPTED

ADMISSIONS COMMITTEE—Mr. Howland, Vice-Chairman

Your Committee met on the 9th of March, 1967, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Cass, MacKinnon and Robins.

CALL TO THE BAR AND CERTIFICATES OF FITNESS

Bar Admission Course

A list is submitted of 286 candidates who have successfully completed the Eighth Bar Admission Course, have filed the necessary documents and paid the required fee of $210.00, and who now apply for call to the Bar and to be granted Certificates of Fitness. *Approved*

DIRECT TRANSFER

E. James Arnett (B.A. and LL.B., University of Manitoba). He was called to the Bar of the Province of Manitoba in August 1963. He seeks to proceed under Regulations 2 and 4. *Approved*

Allan Henry Fitch (LL.B. University of Manitoba May 1950). He was called to the Bar of the Province of Manitoba and admitted as a solicitor of the Court of King's Bench in August 1950. *Approved*

Eric Gordon DeMont (B.A. University of Acadia 1948; LL.B. Dalhousie University 1956). Called to the Bar of the Province of Nova Scotia 1st February 1957. *Approved*

COMMONWEALTH TRANSFER

Rameshwar Lall Gupta (LL.B. degree—Punjab University, India, in 1957). He joined the Bar in India in September 1957. He seeks to proceed under Regulation 11.

Your Committee recommends he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course.

Dhirendrakumar Manilal Nathwani holds a second-class honours Bachelor of Commerce degree of the University of Bombay, 1958. He was called to the Degree of an Utter Barrister by the Honourable Society of Gray's Inn in November 1962, and was admitted to the Tanzania Bar in July 1964. As he does not have an LL.B. and does not appear to qualify under the Society's Regulations, he asks that the Committee consider his position.

Your Committee recommends he be informed he cannot qualify under the Society's Regulations.

Ivan St. Clair Sequeira (LL.B. degree of the University of Bombay in 1953). He seeks to proceed under Regulation 11, but asks exemption from attending the Bar Admissions

Course in its entirety. He is willing to attend for a period of six months under articles.

Your Committee recommends he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course both the articling and teaching periods.

SPECIAL PETITION

Robert Martin is a third year student in the Faculty of Law University of Toronto and would normally be starting his year under articles next fall. He has recently been offered a teaching position through the Canadian University Service Overseas to teach at the University of Zambia. This assignment would start in September and last for two years. He asks the Committee's permission to defer his service under articles for two years until September 1969. *Approved*

THE REPORT WAS ADOPTED

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on the 9th March 1967, the following members being present: Mr. R. F. Wilson, Chairman, and Messrs. Henderson, Howland, Levinter, Slemin and Thom.

ACCOUNTS

The Secretary reports that from the 1st February 1967 to the 28th February 1967 miscellaneous accounts, properly approved, to the amount of $61,159.40 have been paid.

The Secretary also reports that from the 1st February to the 28th February 1967 Legal Aid accounts to the amount of $4,244.63 have been paid. *Approved*

FINANCIAL STATEMENT, 1ST JULY 1966 TO 28TH FEB. 1967

The Secretary lays before the Committee a statement of receipts and disbursements for the period 1st July 1966 to the 28th February 1967. *Approved*

ROLLS AND RECORDS

The Secretary reports

(1) *Appointment to the Bench*

That O. J. Godin of Sudbury, a member of the Law Society has been honoured in his appointment to judicial office, and his name has therefore been removed from the rolls and records of the Society:

O. J. Godin, Sudbury	Called—15th June 1944 Appointed Citizenship Judge for Sudbury, 8th March 1966.

Noted

(2) *Deaths*

That the following former members of the Law Society have died and their names have been removed from the rolls and records of the Society:

Philip Davidson, Q.C., Toronto	Called—21 November 1929 Deceased—2 February 1967
William S. Montgomery, Q.C., Toronto (Honorary Life Member)	Called—26 May 1915 Deceased—5 February 1967
Stanley S. Mills, Q.C., Toronto (Honorary Life Member)	Called—29 May 1912 Deceased—16 February 1967
Mrs. Geraldine B. R. Wright, Toronto (Honorary Life Member)	Called—20 September 1907 Deceased—22 February 1967.

Noted

(3) *Resignations*

Norval Close Norton—Vancouver, B.C.

Your Committee recommends that the resignation be accepted.

ARREARS OF ANNUAL FEES

The Secretary submits a list of 127 members who are in arrears for fees, of whom 24 have been in arrears for more than one year and are therefore liable to suspension.

Your Committee recommends that a letter be written to all members in arrears for fees for a period of more than one year, informing them that unless their arrears are paid by April 12th, 1967, a notice will be served on them notifying them that a resolution as to their suspension will be considered at the meeting of Convocation to be held on 21st April 1967.

REFUNDS—*Law Society Fees*

Edgar Clement died on the 23rd January 1967, having paid his fees for 1966-67. A refund of $100.00 has been made.

Approved

Philip Davidson, Q.C. died on the 2nd February 1967.

Your Committee recommends that a refund of $100.00 on account of fees paid for the current year, be made.

LAW SOCIETY STAFF—*Gardener*

Mr. Kenneth Cambridge, the gardener, died on the 2nd January 1967.

The Secretary recommends that Neville J. Ellis be hired as of the 1st April 1967. *Approved*

THE REPORT WAS ADOPTED

DISCIPLINE COMMITTEE—Mr. Gray, Chairman

RE: MANUEL WINEBERG—Toronto

IN THE MATTER OF THE LAW SOCIETY ACT
AND IN THE MATTER OF MANUEL WINEBERG
OF THE CITY OF TORONTO, a Barrister and
Solicitor.

A Notice of Complaint was drawn and properly served upon the solicitor on the 5th December 1966, containing the following specific complaints:

> "TAKE NOTICE that it is alleged that you have been guilty of professional misconduct or conduct unbecoming a Barrister and Solicitor in that you:
>
> 1. in the period from January 1st 1965 to March 31st 1966 contrary to Rule 1 of the Rules Respecting Accounts, received monies in trust for clients but failed to deposit such monies forthwith in your trust account;
> 2. contrary to Rule 3 of the Rules Respecting Accounts, have drawn money from your trust account other than money properly required for payment to or on behalf of clients or in respect of liabilities of clients to you;
> 3. contrary to Rule 6 of the Rules Respecting Accounts, have failed to maintain at all times sufficient money on deposit in your trust bank account to satisfy your indebtedness to clients for trust funds;

4. contrary to Rule 8 of the Rules Respecting Accounts have not maintained a record showing monthly comparison of the total of balances held on deposit in the trust bank account (or accounts) and the total of all unexpended funds held in trust for clients;

5. did not on or before the 30th day of November 1965 file with The Law Society of Upper Canada a report duly completed by a Public Accountant and signed by you in the prescribed form or in lieu thereof a Statutory Declaration as provided by the Rule."

Your Committee met on the 10th of February 1967 with the following members being present: Mr. Levinter, Chairman, and Messrs. Bull and McLaughlin. The solicitor did not attend, but his counsel was present.

Your Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he received monies in trust for clients but failed to deposit them in his trust account; drew money from his trust account other than that properly required for payment to or on behalf of clients or in respect of liabilities of clients to him; failed to maintain at all times sufficient money on deposit in his trust bank account to satisfy his indebtedness to clients for trust funds; did not maintain a record showing monthly comparison of the total of balances held on deposit in the trust bank account and the total of all unexpended funds held in trust for clients and did not file with the Society a report duly completed by a Public Accountant or in lieu thereof a Statutory Declaration as provided by the Rules Respecting Accounts.

Moved by Mr. Gray, seconded by Mr. Levinter that the Report be adopted.

The solicitor did not attend, nor was he represented by counsel.

The motion was carried.

It was accordingly ordered —

1. THAT the Report of the Discipline Committee in the matter of MANUEL WINEBERG, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith,

Convocation finds the said MANUEL WINEBERG guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

3. THAT the said MANUEL WINEBERG be disbarred.

4. THAT the said MANUEL WINEBERG is unworthy to practise as a Solicitor.

LIBRARY COMMITTEE—Mr. Steele, Chairman

Your Committee met on 9th March 1967, the following members being present: Mr. Strauss, Vice-Chairman, and Messrs. Cassels, Creighton, Maloney and Slemin.

ACCOUNTS

The amount spent for books to February 28, 1967 amounted to $11,231.85. The Phillips-Stewart Library expenditures to the same date were $22,982.10.

Noted

LIBRARY STAFF

Miss Catharine Hindmarsh, B.A. (Windsor), has made application for the position of Cataloguer in the Great Library. She has been engaged effective June 1, 1967, providing she graduates; subject to the approval of the Finance Committee.

Approved

AMERICAN ASSOCIATION OF LAW LIBRARIES ANNUAL CONVENTION

Approval was granted to permit the Chief Librarian to attend the annual meeting of the American Association of Law Libraries to be held in Colorado Springs, June 25-30th, 1967.

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Strauss

Your Committee met on the 9th day of March, 1967, the following members being present: Mr. Nathan Strauss in the

Chair, and Messrs. Beament, Callon, Chappell, Creighton, Ford, Levinter and Slemin.

1. EUROPEAN NOTARIES AND NOTARIES PUBLIC (GENERALLY)

At the October 1966 meeting of your Committee, a Sub-Committee was appointed to consider the problem of Notaries and of European Notaries in particular, and the possible revision of The Notaries Act. Your Committee has now received the Sub-Committee's Report which included the following recommendations:

1. That no steps be taken by the Law Society by way of advertising in foreign language newspapers in Toronto as to the limits of a Notary's powers in Ontario at the present time;
2. That information in possession of the Sub-Committee concerning advertisements placed in foreign language newspapers in Toronto by Notaries be referred to counsel with instructions to investigate the most flagrant cases using an investigator and translator as necessary, consider the evidence available and submit his opinion to your Committee as to the advisability of specific prosecutions;

Your Committee approved the recommendations.

2. L. A. FITZPATRICK — DISBARRED SOLICITOR — SEPTEMBER 1966

Your Committee considered a letter which was forwarded to the Society by the Manager of the Subrogation Department, Ontario Hospital Services Commission, together with a copy of a letter which the Manager stated was received by the Commission from Mr. L. A. Fitzpatrick. The letterhead on Mr. Fitzpatrick's letter indicated that he is a 'Barrister and Solicitor'. Your Committee has instructed the Secretary to conduct a full investigation to ascertain the full scope of Mr. Fitzpatrick's activities and report back.

THE REPORT WAS ADOPTED.

COUNTY LIBRARIES COMMITTEE—Mr. Harris

Your Committee met on the 9th March 1967, the following members being present: Mr. Strauss, Vice-Chairman, and Messrs. Beament, Evans and Slemin.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following County and District Associations have filed their annual returns for the year 1966 in accordance with Rule 103, and have complied in all other respects with the requirements of the Rules, and recommends that grants be made to them as follows:

Cochrane	$1,020.01
Frontenac	1,300.00
Hamilton	1,850.00
Hastings and Prince Edward	1,275.00
Kent	1,350.00
Muskoka	600.00
Oxford	1,000.00
Lambton	1,325.00
Waterloo	1,850.00
Wellington	1,461.36

THE REPORT WAS ADOPTED.

LEGAL AID PROGRAMME COMMITTEE

Mr. G. A. Martin, Chairman, presented the Report of the Legal Aid Programme Committee submitting a list of Area Committees for 44 Legal Aid Areas which were approved.

Moved by Mr. G. A. Martin, seconded by Mr. Callon, that the Area Committee members listed in the report, be approved. *Carried*

Moved by Mr. G. A. Martin, seconded by Mr. Callon, that Mr. Charles J. Watt, Solicitor, Fort Frances, be appointed Area Director for the District of Rainy River. *Carried*

CORRESPONDENCE

Petition for Reinstatement — Henry Koury (disbarred 15th January 1965)

Moved by Mr. Levinter, seconded by W. S. Martin, that the Petition be referred to the Discipline Committee for investigation and report. *Carried*

Mr. G. A. Martin took no part in the discussion, and did not vote.

The Treasurer read a letter from Mr. Peter Wright, Q.C. thanking the Society for sending flowers to his mother's funeral. Mrs. Wright was an Honorary Life Member of the Law Society.

After luncheon the Treasurer and Benchers and their guests proceeded to the O'Keefe auditorium where Convocation resumed at 2 p.m., a quorum being present. The body of the theatre was occupied by the graduates of the Bar Admission Course, their families and friends.

CALL TO THE BAR

Mr. W. G. C. Howland, Q.C. then presented to the Treasurer and Benchers the following candidates:

WITH HONOURS

1. Arthur Richard Andrew Scace — Awarded The Treasurer's Medal, The Law Society First Prize; The Lawyers Club First Prize; The Reading Law Club Prize; The Reading Law Club President's Prize; and the Criminal Procedure Prize.

2. David Hinson Hill — Awarded the Law Society Second Prize and the Lawyers Club Second Prize.

3. Donald Harold Gordon — Awarded the Law Society Third Prize and the Commercial Law and Company Law Prize.

4. Iliff Lawrence Baxter Peck
5. Samuel Lavine
6. Pierre-Yves Boucher
7. Burton Bruce Clark Tait
8. Martin Norman Rain
9. John Douglas Lawson
10. Paul Harold Megginson
11. Arnold Lewis Cader
12. Christopher Allan Fournier
13. Paul Theodore Matlow
14.) Barry Stephen Arbus
) Paul Aylward Carroll
) Michael Donald Lipton
17. Theadore Jehyda Feldman
18. William Joseph Simpson
19.) Norman Bennett
) John Garnet Pink
21.) Albert Gnat
) Paul Mansell Moore
) George Mahood Thomson
24. Robert James Abbey
25. John Walter Erickson
26. William George Irwin
27. Robert Yvon Joseph Arcand
28.) Joseph John Peter O'Donoghue
) Jack Allen Walker
30.) Barry Alan Cohen
) William Lindsay Hewson
) Benjamin John Hutzel

33. William Richard Reed
34.) Richard John Gathercole
) Lionel Shael Miskin
) Barry Lawrence Tunney
37.) Stephen Vaughan Arnold
) Barry Winston Earle
) Elizabeth Alice MacNab
) Alan Stanley Price
41.) Peter Kirby Connor
) Robert Ian Morrison

Mr. Howland then presented to the Treasurer and Benchers the following candidates

43. Irving Abrams
44. James Edward Adamson, Jr.
45. Bruce Bingham Alexander
46. Bruce Russell Allen
47. Philip Alter
48. Robert Patrick Armstrong
49. Francis Charles Askwith
50. Leonard Alan Banks
51. Homar Robert Barlow
52. Robert James Bassermann
53. John Ross Belleghem
54. Myer Betel
55. William Ian Corneil Binnie
56. Alan Alston Binnington
57. Irving Isak Birnbaum
58. David Marsh Bishop
59. Spencer Black
60. Geoffrey Leigh Bladon
61. Harold James Blake
62. Murray Edward Blankstein
63. John Edwards Bogue
64. Gale Weekes Borden
65. Richard Joseph Bosada
66. Martha Elizabeth Brewin
67. Donald MacLellan Buie
68. John Andrew Burgess
69. Richard Francis Burgess
70. George Dudley Barbour Butterfield
71. Colin Livingstone Campbell
72. Katherine Elizabeth Beverley Cartwright
73. David Gerard Casey
74. Michael Edward Cass
75. William Douglas Chambers
76. David Findlay Charlton
77. William Chasse
78. Michael Chykaliuk
79. Harry Charles John Clarke
80. Lawrence Jerome Cohen
81. Howard Lawrence Coleman
82. Sydney Nathan Conn
83. Ronald Gould Cooper
84. Paul Douglas Copeland
85. Joseph Peter Coulson
86. Lawrence Stanley Crackower
87. Bernard Cugelman
88. Joseph Philip Dawson
89. Joseph David Day
90. Joseph Michael Dillon
91. Harold John Doan
92. William Bruce Donaldson
93. Brian Alan Dunn
94. William John MacEwan Egener
95. Raphael Sydney Engle
96. Robert Louis Fabbro
97. Lyle Scott Fairbairn
98. Frank Michael Falconi

99. Emil Bohdan Fedak
100. Stanley Howard Feldman
101. John Robert Finlay
102. Thomas D'Arcy Finn
103. Marvin Harold Flancman
104. Carl Edward Fleck
105. Francis Floszmann
106. Alan Lloyd Ford
107. Walter Fox
108. Edward John Freyseng
109. Nicholas Hamilton Fyfe
110. Norman Douglas Gaetz
111. Michael Anthony Galway
112. Jean-Pierre Gascon
113. Maurice Herbert Genest
114. Avrum Glasner
115. Earl Glasner
116. Norman Lee Goldman
117. Robert George Gollinger
118. Stanley Irwin Goodman
119. Michael Joseph Gould
120. John Douglas Clifford Graham
121. John Ramsay Grant
122. Garfield Robert Green
123. David Robert George Griner
124. Morton Gilbert Gross
125. Douglas George Gunn
126. Ronald Lorne Gunning
127. Henry Louis Hagey, Jr.
128. Carl Herbert Hamilton
129. Ian Thomas Hogg Hamilton
130. James Philip Harrington
131. James Benjamin Haslam
132. Peter Reginald Hayden
133. Paul Greer Marsh Hermiston
134. Peter Edward Heslin
135. William John Anthony Hobson
136. Wayne Wendell Holmes
137. Peter Haughland Howden
138. Donnell Joseph Hughes
139. William Andrew Huska
140. Yrjo Adolf (George) Hynna
141. Norman John Jamieson
142. Michael Irwin Jeffery
143. Donald William Jenkins
144. William Joseph Jennings
145. Kenneth Stewart Johnson
146. Luc Jean-Pierre Joly
147. Harvey Irwin Joseph
148. Ross Blair Judge
149. Gary Stanley Kay
150. Gregory Paul Kelly
151. Daniel Kimmel
152. Ronald King
153. Arthur Ryoji Kitamura
154. Trevor Camsell Klotz
155. Edward James Kowal
156. Solomon Russell Kronick
157. Robert Francis Lamb
158. Herschel Wilfred Lebo
159. Steven Michael Leikin
160. Frederick Ernest Leitch
161. Stanley David Levine
162. David Wayne Lewis
163. James Edward Lewis
164. Philip Charles Lococo
165. Maurice Alfred Loton
166. John Hunter Lytle
167. David Bruce MacDougall
168. John William Charles Macfarlane

169. Charles Douglas Macleod
170. Charles Thomas Alexander MacNab
171. Glenn Alan Joseph MacPherson
172. Gerald Peter Maich
173. Morris Manning
174. Donald Graham Marwick
176. Cameron Hugh McArthur
176. John Francis McCartney
177. Christopher Jeffares McCombe
178. Thomas Edward Joseph McDonnell
179. Noel Leslie McKenna
180. Robert Alvin McKnight
181. Arthur Allan McLean
182. Duncan James McRae
183. Edwin Norman Merkur
184. Gerald Edward Miller
185. Harold Jay Miller
186. James Gribben Milligan
187. William Henry Minifie
188. John Donald Miskew
189. Joel Sherman Moldaver
190. Gulam Ahmed Moledina
191. Wayne Douglas Morrison
192. Douglas Gordon Forbes Morton
193. Victor Francis Muratori
194. Wallace Leo Murray
195. John Dennis Nanson
196. Arthur Peter Nasmith
197. James William Walter Neeb
198. John Murray Barker Neilson
199. William Ralph Newey
200. Stanley James Nottingham
201. David Terrence O'Connell
202. Gerald Otto Siegbert Oyen
203. George Edward Anthony Pacaud
204. Claude Henri Paris
205. Allan Muir Paton
206. James Gerald Paul
207. Herbert William Pearl
208. André Antoine Joseph Pigeon
209. Julian Polika
210. Arthur Sidney Pollack
211. David Lyon Pomerant
212. Hart Martin Pomerantz
213. Richard Bain Potter
214. Thomas Wayne Powers
215. David Reid Proctor
216. Peter James Radley
217. Gopal Rai
218. Edward George Ralfe
219. Peter Donald Rasmussen
220. Lewis Jay Richardson
221. Charles Scott Ritchie
222. Robin Alfred Ritchie
223. Michiel Adriaan Roell
224. Paul Ross
225. William Preston Ross
226. Hart Melvyn Rossman
227. Murray Gordon Roulston
228. Albert Joseph Roy
229. Michael Norman Rubenstein
230. Maureen Joanne Sabia
231. Jeffrey Sack
232. Peter Michael Scandiffio
233. Paul Jay Schrieder
234. Kenneth Grundy Scott

235. Peter Francis Scully
236. Edward John Charles Sewell
237. Max Shafir
238. Altor Lazar Shields
239. Robert Lawrence Siegel
240. Alfred Gordon Simester
241. John David Simmons
242. Graham Ray Simser
243. Robert Gary Siskind
244. Roger Archibald Skinner
245. Norman Samuel Slover
246. Barry Sheldon Small
247. William Wilson Smallman
248. Richard Price Smith
249. Roger Joseph Smith
250. Marc Jolliffe Somerville
251. Michael James William Souter
252. Michael Peter Starr Spearing
253. Christopher Michael Speyer
254. Dieter Ulrich Steinkraus
255. Alfred Joseph Stong
256. Lawrence Ritchie Stewart Sutton
257. Robert James Swayze
258. Terrance Austin Sweeney
259. Lawrence Harvey Swern
260. James Hutchison Tait
261. Charles Allan Talmage
262. Peter Charles Patrick Thompson
263. Roland Walter Thurston
264. Robert Warren Torrens, Jr.
265. James Arthur Treleaven
266. Paul Douglas Turner
267. Guy Ungaro
268. Sheldon Charles Vanek
269. Leslie Vasilaros
270. William Stearns Vaughan
271. Douglas Ralph Wallace
272. Lynn Ruth Weisdorf
273. Roderick Nelson Wessels
274. Brian Charles Westlake
275. Michael John White
276. James Tate Wilbur
277. Roland John Willis
278. Earl Joseph Winemaker
279. Gordon Ewart Wood
280. Donald George Wray
281. John dePencier Wright
282. Frederick Allen Yack
283. Barry Wilson Young
284. Samuel Goodman Zaltz
285. Stephen Milton Zubkavich
286. Anton Zuraw

The Treasurer then conferred upon the candidates the degree of Barrister-at-law and called them to the Bar of Ontario.

The Treasurer then presented the Treasurer's Medal to—

ARTHUR RICHARD ANDREW SCACE

and the following prizes:

The Law Society's First Prize; The Lawyers Club First Prize; The Reading Law Club Prize, and The Reading Law Club President's Prize; The Criminal Procedure Prize.	Arthur Richard Andrew Scace
The Law Society's Second Prize; The Lawyers Club Second Prize;	David Hinson Hill
The Law Society's Third Prize; The Commercial Law and Company Law Prize.	Donald Harold Gordon

The Treasurer congratulated the new members of the Bar, and introduced the Honourable William G. Davis, Q.C., Minister of Education and Minister of University Affairs for the Province of Ontario, who addressed the assemblage.

CONVOCATION THEN ROSE

Following the meeting of Convocation a court room was set up in the O'Keefe Centre with the Honourable G. A. Gale, Chief Justice of the High Court, presiding.

Mr. W. G. C. Howland, Q.C., presented the candidates to his Lordship.

At the conclusion of the ceremonies the Treasurer and Benchers entertained the new barristers, their families and friends at a reception in the main lounge at the O'Keefe Centre.

"Brendan O'Brien",
Treasurer.

MEETING OF SPECIAL CONVOCATION

Thursday, 23rd March 1967
2 p.m.

Present:

The Treasurer, and Messrs. Arnup, Callon, Common, Ford, Goodman, Levinter, G. A. Martin, McLaughlin, MacKinnon and Strauss.

LEGAL AID PROGRAMME COMMITTEE

Mr. G. A. Martin

Your Committee met on the 23rd of March, 1967 the following members being present: Mr. G. Arthur Martin, Chairman, and Messrs. Borczak, Callon, Common, Sale and Waugh. Mr. D. J. McCourt, Mr. M. Mackenzie and Mr. I. Nyman were present by invitation.

Minutes of Understanding Between the Province of Ontario and the Law Society of Upper Canada

The Committee reviewed the Minutes of Understanding which the Province of Ontario submitted to the Law Society of Upper Canada with respect to administrative procedures.

Mr. D. J. McCourt, Controller of the Legal Aid Fund and Messrs. Mackenzie and Nyman of Clarkson Gordon were invited to attend.

Your Committee recommends that the Chairman, Mr. G. Arthur Martin, attend with Mr. W. B. Common, and such other persons as he considers necessary, including Mr. M. Mackenzie, on the Attorney General for clarification of basic principles arising from the proposed Minutes of Understanding.

Exemptions from Sections 11 and 68 of the Regulation

The Committee approved that the County of Norfolk, the District of Parry Sound and the Counties of Prescott and Russell be exempted from Sections 11 and 68 of the Regulation, and that the District of Manitoulin be exempted from Section 68 of the Regulation.

THE REPORT WAS ADOPTED.

Simcoe County Area Committee

Moved by Mr. Martin, seconded by Mr. Strauss, that Mr. William M. Thompson be appointed to the Simcoe County Area Committee. *Carried*

York County Area Committee

Mr. Martin submitted the following list of members for approval:

John D. Arnup, Q.C.
Norman Borins, Q.C.
Robert Bradley
Mrs. Anne R. Dubin, Q.C.
Gordon W. Ford, Q.C.
F. Stewart Fisher
Donald C. Hindson
John D. Honsberger
Elmore Houser, Q.C.
A. M. Kirkpatrick
Arthur Maloney, Q.C.
Donald R. Montgomery
John P. McBeth, Q.C.
Hon. Mr. W. D. Roach, Q.C.
Richard J. Roberts, Q.C.
G. T. Rogers, Q.C.
Lloyd Richardson

Approved

Messrs. Arnup and Ford did not vote.

CONVOCATION THEN ROSE

Brendan O'Brien,
Treasurer.

MEETING OF CONVOCATION

Friday, 21st April 1967
10 a.m.

PRESENT:

The Treasurer, and Messrs. Beament, Bowlby, Bull, Callon, Cass, Chappell, Common, Creighton, Evans, Fennell, Ford, Goodman, Gray, Harris, Henderson, Howland, Levinter, Maloney, G. A. Martin, W. S. Martin, McCulloch, MacKinnon, McLaughlin, Pattillo, Raney, Roberts, Robins, Seymour, Sheard, Slemin, Steele, Strauss, Thom, Weir, Williston and R. F. Wilson.

The Minutes of the Meeting of Convocation of the 17th March 1967 and of the Special Meeting of Convocation of the 23rd March 1967 were read and confirmed.

BENCHER

The Treasurer announced with regret the death of the Honourable Frank J. Hughes, Q.C., a Bencher ex officio of this Society.

SPECIAL COMMITTEE ON ORGANIZATION OF CONVOCATION AND COMMITTEES

Mr. Robins reminded Convocation that the Report of the Special Committee on Organization of Convocation and Committees made and adopted on the 15th April 1966, recommended that the Library Committee, the County Libraries Committee and the Reporting Committee be merged. He moved, therefore, that effective on the date when new committees are appointed in 1967, the Library Committee, the County Libraries Committee and the Reporting Committee be merged into a Committee to be known as the "Libraries and Reporting Committee", and that the appropriate amendments to the Rules be made.

Mr. Robins also moved that *Subsection (1) of RULE 16* be amended so that the subsection as amended will read:

> "16 (1) The standing committees shall each consist of not less than eight members, except the admissions com-

> mittee, the public relations committee, the legal aid committee, the continuing education committee and legislation and rules committee, which shall each consist of not less than five members."

It was moved by Mr. Ford, seconded by Mr. Bowlby, that notice of Mr. Robins' motion be waived.

Carried

After discussion, Mr. Robins' motion was carried.

LEGAL EDUCATION COMMITTEE—Mr. Howland,

Your Committee met on the 13th April, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, Cass, Creighton, Henderson, MacKinnon, Pattillo, Thom, Sheard, Williston and R. F. Wilson.

Bar Admission Course

Faculty

The Director requests the Committee's approval of the following appointments to the Faculty of the Bar Admission Course:

Commercial Law

J. F. Petch, Esq., as an Instructor.

Estate Planning

A. R. A. Scace, Esq., as a Stand-by Instructor.

Approved

Petitions

Kenneth Almond Hahn petitions respecting his failure in the Bar Admission Course. He attended and addressed the Committee.

Your Committee recommends that the petition be refused.

Timothy William Sargeant entered the Bar Admission Course in July, 1966, and is presently serving under articles in Toronto. He asks permission to complete his articles and then spend one year studying towards the degree of LL.M. at the London School of Economics and to be allowed to enter the teaching period of the Bar Admission Course in September, 1968.

Approved

Bar Admission Course Precedents

In the past the Bar Admission Course has charged law schools and others, mostly in American jurisdictions, $70.00 for a full set of Bar Admission Course precedents.

According to the latest figures the cost of these is now $85.00. The Director requests the permission of this Committee to raise the price to this amount hereafter.

Approved

Osgoode Hall Law School

Accommodation 1967-68

At its meeting of 9th March, 1967, the Committee considered Mr. Heeney's opinion on the question of accommodation for Osgoode Hall Law School Faculty in the area in the basement of the 1937 building now used as a locker room for the Bar Admission Course, and recommended that Mr. Heeney be asked to obtain estimates. Mr. Heeney's report includes an alternative plan.

Your Committee recommends that the alternate plan be approved subject to the approval of the Finance Committee.

Annual Meeting of the Association of Canadian Law Teachers, June 7th to 9th, 1967, Ottawa

The following request permission to attend the Annual Meeting of the Association of Canadian Law Teachers and request expenses:

H. W. Arthurs
J. M. Barber
J. T. Blanchard
J. G. Castel
M. M. Dennis
R. J. Gray
D. C. Hefferon
D. Mendes da Costa
A. W. Mewett
M. R. MacGuigan
W. A. W. Neilson
G. E. Parker
S. Peck
G. D. Watson
P. C. Weiler
B. Halevy

Professor Linden also requests approval of his expenses to attend the Annual Meeting of the Association of Canadian Law Teachers in Ottawa. He is at present on leave of absence and is due to return 1st July, 1967.

Approved

ACADEMIC REGULATIONS

The document called "Academic Regulations" as amended by the Senate of York University is before the Committee. The Faculty requests its approval.

Approved

LEGAL WRITING PROGRAMME — TEACHING FELLOWS

The Faculty requests the approval of the following Teaching Fellow appointments, as from 1st July, 1967:

G. M. Dyson (Oxford)
J. Warwick Gendall (New Zealand)
J. Bleechmore (Australia)

Approval of their travel expenses to Toronto is also requested.

Approved

TRAVEL EXPENSES OF PROFESSOR DONALD J. M. BROWN

The Faculty requests the approval of travel expenses of Professor Brown and his wife, Singapore to Toronto.

Approved

ENTRANCE SCHOLARSHIPS

Last fall the Provincial Government made $8,000.00 available for Scholarships and Bursaries. There are $7,200.00 unexpended. A letter from Professor R. J. Gray is before the Committee in which he suggests that $4,550 of it be used for Entrance Scholarships.

Approved

LAURENTIAN LAW SCHOOL

The Sudbury Law Association submits a brief recommending the establishment of a law school at Laurentian University in Sudbury.

Copies are being sent to all members of the Committee and will be considered at the next meeting.

LAW SCHOOL TEACHING STAFF — RESIGNATION

Professor Mark R. MacGuigan submits his resignation from Osgoode Hall Law School Faculty to be effective 30th June, 1967.

Your Committee recommends that his resignation be accepted.

OSGOODE HALL LAW SCHOOL — APPOINTMENT OF DEAN

With the approval of the Treasurer, the Chairman of this Committee and of the President of York University, Gerald Eric Le Dain, Q.C., was asked to accept the post of Dean of Osgoode Hall Law School, and he has accepted. Professor Le Dain received the B.C.L. degree from McGill University in 1949, was University Scholar and winner of the Elizabeth Torrance Gold Medal and Macdonald Travelling Scholarship. In 1950 he became Docteur de l'Université de Lyon (Droit Public). From 1950 to 1953 he practised with Messrs. Walker, Martineau, Chauvin, Walker & Allison, and from 1952 to 1953 was a lecturer at McGill University. In 1953 he became a full-time member of the Faculty of Law with the rank of Assistant Professor and later Associate Professor. From 1959 to 1961 he served in the legal department of Canadian International Paper Company, and became in 1961 a partner in the firm of Messrs. Riel, Le Dain, Bissonnette, Vermette & Ryan, where he remained until 1966. From that year to the present he has served as Professor on the Faculty of Law at McGill University. He is a member of the Quebec Bar and the Canadian Bar Association and Chairman of the National Committee on Legal Education and Training. The Committee is asked to confirm his appointment, effective 1st July, 1967.

Approved

OSGOODE HALL LAW SCHOOL — APPOINTMENT OF ASSOCIATE DEAN

Professor Alan William Mewett has served as Acting Dean of Osgoode Hall Law School since the resignation of Mr. Leal. With the approval of the Treasurer, the Chairman of this Committee and of the President of York University, and with the concurrence of Professor Le Dain, Professor Mewett has been asked to serve as Associate Dean of Osgoode Hall Law School, and he has accepted. The Committee is asked to confirm his appointment as of 1st July, 1967.

Approved

LEGAL EDUCATION — POLICY

Moved by Mr. R. F. Wilson, seconded by Mr. Terence Sheard that the Chairman appoint a Sub-Committee of the

Legal Education Committee to consider and report on the policy of the Society in respect to legal education.

Carried

The Chairman has appointed Mr. W. G. C. Howland, Chairman, and Messrs. T. P. Callon, B. J. MacKinnon, S. L. Robins, S. D. Thom and W. B. Williston.

THE REPORT WAS ADOPTED.

ADMISSIONS COMMITTEE—Mr. Sheard,

Your Committee met on the 13th April, 1967, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Bull, Cass, MacKinnon, Robins, and R. F. Wilson.

DIRECT TRANSFER

Kenneth Lucas Perry (LL.B. from University of British Columbia 1954) He was called to the Bar and admitted as a solicitor of the Supreme Court of British Columbia in May 1955. He was Called to the Bar and enrolled as a Solicitor of the Supreme Court of Alberta in February 1961. He seeks to proceed under Regulation 2.

Approved

UNITED KINGDOM SOLICITOR

Edmund Patrick Andrade The applicant wishes to enter the Bar Admission Course. He has practised as a solicitor of the Supreme Court of Jamaica since 1960 and shows that he is entitled to practice as a solicitor in the United Kingdom.

Approved

COMMONWEALTH TRANSFERS

Tahir Ali was accepted by the Admissions Committee in April, 1964, to proceed under Regulation 11. For personal reasons he was forced to withdraw his application. He has practised continuously since 1953 in Tanganyika, and asks the Committee if he may enter the Bar Admission Course in 1968.

Your Committee recommends approval subject to the applicant proving that he is still in Good Standing in Tanganyika.

Glenworth Osmond Norris Emanuel obtained the LL.B. from University of London, August 1960, as an External Student; Called to the Degree of Utter Barrister in February, 1962. He seeks to proceed under Regulation 11.

Your Committee recommends he be informed he cannot comply with the Society's Regulations because he has not practised the requisite period.

Shapur Burjor Godiwala obtained the Bachelor of Arts degree from the Bombay University in 1952. He then joined the Government Law College and became a Graduate of Law in 1955, passed his Bar Council Examination of the High Court, Bombay, after which he was called to the Bar in Bombay.

Your Committee recommends he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course.

Brendan Peter Anthony de R. O'Byrne obtained the Bachelor of Arts degree in Legal & Political Science (Hons.) in 1943, and was admitted as a solicitor of the Supreme Court, Ireland in 1943, after which he was in private practice in Dublin for ten years. He seeks to proceed under Regulation 11.

Your Committee recommends he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course.

Harbans Singh Singha obtained the B.A. from the University of Delhi in 1942; LL.B. University of Delhi 1945 (approved for the purpose of Regulation 11, September, 1964). He was admitted and enrolled as an Advocate of the High Court of Judicature for the State of Punjab in 1954. He seeks to proceed under Regulation 11.

Your Committee recommends he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. R. F. Wilson.

Your Committee met on 13th April, 1967, the following members being present: Mr. R. F. Wilson, Chairman, Mr. Terence Sheard, Vice-Chairman, and Messrs. Common, Gray, Henderson, Howland, Levinter, W. S. Martin, Slemin, Steele, Thom and Williston.

ACCOUNTS

The Secretary reports that from the 1st March 1967 to the 31st March 1967 miscellaneous accounts, properly approved, to the amount of $162,386.90 have been paid.

The Secretary also reports that from the 1st March to the 31st March 1967 Legal Aid accounts to the amount of $1,905.75 have been paid. *Approved*

FINANCIAL STATEMENT, *1st July 1966 to the 31st March 1967*

The Secretary lays before the Committee a statement of receipts and disbursements for the period 1st July 1966 to the 31st March 1967. *Approved*

ROLLS AND RECORDS

The Secretary reports:

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their names have been removed from the rolls and records of the Society:

F. E. Dunlap, Ottawa	Called—21st June 1951 Appointed County Court Judge, Renfrew, March 16, 1967
W. T. Hollinger, Pembroke	Called—29th June 1950; Appointed Junior Judge, District of Thunder Bay, March 16, 1967.

Noted

(2) *Deaths*

That the following former members of the Law Society have died:

Joseph C. A. Seguin, Ottawa (Honorary Life Member)	Called—21 May 1909; Deceased—9 December 1965.
James A. Howard, Eganville	Called 13 June 1923; Deceased—Autumn, 1966.
William M. Blain, Dutton	Called—18 June 1925; Deceased—22 February 1967.
Robert C. Hays, Q.C., Goderich	Called—6 June 1923; Deceased—5 March 1967.
John Douglas Peck, Q.C., Burlington	Called—16 June 1927; Deceased—15 March 1967.

Frank Erichsen-Brown, Q.C., Toronto (Hon. Life Mem.)	Called—5 June 1903; Deceased—27 March 1967.
D. M. Symons, Q.C., Toronto	Called—20 June 1929; Deceased—7 April 1967.

Noted

(3) *Disbarment*

That the following former member of the Law Society has been disbarred and struck off the rolls and his name has been removed from the rolls and records of the Law Society:

Manuel Wineberg, Q.C., Toronto	Called—18th November 1937; Disbarred—Convocation, 17th March 1967.

Noted

RESIGNATIONS

The Committee considered and approved applications to be allowed to resign their membership in the Society, from the following:

Jack H. Batten, Toronto
Andrew B. M. Bell, Toronto
James Flood Clark, Ottawa
Melville F. Rogers, Ottawa
David A. L. Smout, London, England
Edward Austin Carroll, Q.C., Scarborough

In each case your Committee was satisfied that the circumstances justified waiving the requirements set out in the Rule Respecting Resignations.

REFUNDS—*Annual Fees*

Harold Weil—died on the 13th December 1966, having paid his Barristers and Solicitors fee of $70.00.

Your Committee recommends that a refund of $65.00 be made.

Law School Fees

Pursuant to a policy adopted by the Committee on the 13th October 1965, the following refund has been made:

David Walter Cook—1st Year—attended 23 weeks—Paid $500.00. Refund—$15.00. *Approved*

FIDELITY BOND

At its meeting on the 9th March 1967 the Committee asked for quotations on the cost of increasing the fidelity bond on the Society's employees. The present coverage is $10,000.00 for employees' dishonesty.

Your Committee recommends that the bond be increased to $100,000.00, and that the Secretary discuss with the Society's insurers whether there is any advantage in limiting the coverage to key personnel.

PORTRAITS

In January 1964 the Finance Committee approved of an offer of Mr. Eduard Zukowski to supervise all the portraits owned by the Society on a yearly basis at a fee of $450.00 to $500.00.

A letter from Mr. Zukowski dated April 10, 1967 asking confirmation of this arrangement for the current year, is before the Committee. *Approved*

BAR ADMISSION COURSE ACCOMMODATION

To accommodate increased numbers in the Bar Admission Course next year (there will be approximately 675) more space is needed for the administrative offices of the Bar Admission Course. The Secretary discussed the matter with the Director of the Bar Admission Course, and with Mr. Heeney, the Society's architect.

Suitable space can be made available by cutting a doorway between the Director's room and the small office south of it. The cost is estimated to be between $400 and $600.

Approved

LUNCHEON ROOM

Miss Margaret Lennox asks the Society to accept her resignation as Manager of the Barristers' Luncheon Room, a position she has held for twenty-eight years.

Your Committee recommends that the matter be referred to the Chairman of this Committee, the Treasurer and the Secretary for investigation and report.

METROPOLITAN TORONTO POLICE ASSOCIATION

The Secretary reports that the Director of the Metropolitan Toronto Police Association has asked for the Society's financial assistance in giving a luncheon at the Inn-on-the-Park on the 24th July 1967. This Association is for the first time acting as host to the International Conference of Police Associations which lasts some days beginning on the 24th July. Arrangements have been made with the City and with another group to assist to defray the expenses of two dinners the Association is giving. The Director said that $500.00 would cover the expenses.

The Secretary discussed the matter with the Treasurer and with the Chairman of this Committee, and with their authority advised the Metropolitan Toronto Police Association that the Society would underwrite the luncheon up to a total of $500.00.

The Committee is asked to ratify this action. *Approved*

STAFF SALARIES

Library Staff

At its meeting on the 9th March 1967 the Library Committee approved the appointment of Miss Catharine Hindmarsh, B.A., for the position of cataloguer in the Great Library, effective June 1, 1967 (providing she graduates), subject to the approval of the Finance Committee.

Approved

OSGOODE HALL LAW SCHOOL — APPOINTMENT OF DEAN
(For Details see Legal Education Report)

Appointment of Associate Dean
(For details see Legal Education Report)

SUB-COMMITTEE *(Finance) on* HONORARY LIFE MEMBERS

In January 1967 the Committee considered the question whether those who by reason of their war service were called to the Bar after their confreres, should be granted honorary life membership in the Society as if they had been called in due course. The matter was referred to a Sub-Committee composed of Messrs. Gray, Common and Slemin, to recommend an appropriate amendment to Rule 32.

The Report of the Sub-Committee is as follows:

Your Sub-Committee recommends that Rule 32 be amended by designating the present Rule 32 as "Rule 32(a)", and by the addition thereto of the following subsection to be designated (b):

> "(b) Where membership in the Society was interrupted or a member's call to the bar or admission as a solicitor was delayed by war service the time spent in such service may be included for the purpose of determining eligibility for life membership."

Approved

THE REPORT WAS ADOPTED.

AMENDMENT OF RULES—*Rule 32*

Moved by Mr. R. F. Wilson, seconded by Mr. Gray, that Rule 32 be amended as set forth above. *Carried*

DISCIPLINE COMMITTEE—Mr. Gray.

Re: DONALD JERRY O'BRIEN, *Chatham*

Mr. Steele withdrew from the meeting.

IN THE MATTER OF THE LAW SOCIETY
ACT AND IN THE MATTER OF DONALD
JERRY O'BRIEN OF THE CITY OF
CHATHAM, A BARRISTER AND SOLICITOR.

The solicitor attended with his counsel, Mr. John O'Driscoll, who asked that the matter be adjourned for one month.

Moved by Mr. Goodman, seconded by Mr. Maloney, that the matter be adjourned to the May Convocation upon the solicitor undertaking not to engage in practice until the Report is finally disposed of. *Carried*

The solicitor and his counsel returned and the undertaking was given.

Re: STUART BEVERLEY SCOTT, *Gananoque*

Mr. Goodman withdrew from the meeting

IN THE MATTER OF THE LAW SOCIETY ACT
AND IN THE MATTER OF STUART BEVERLEY
SCOTT OF THE TOWN OF GANANOQUE, A
BARRISTER AND SOLICITOR.

Notice of Complaint was served upon the solicitor, returnable on the 21st day of March 1967 at 10:30 o'clock in the forenoon. It contained the following specific complaints:

> "TAKE NOTICE that it is alleged that you have been guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that you:
>
> 1. contrary to Rule 3 of the Rules Respecting Accounts, have drawn money from your trust account other than money properly required for payment to or on behalf of clients or in respect of liabilities of clients to you;

2. contrary ot Rule 6 of the Rules Respecting Accounts, have failed to maintain at all times, and particularly in the month of October, 1966, sufficient money on deposit in your trust bank account to satisfy your indebtedness to clients for trust funds;
3. contrary to Ruling 14 of the Professional Conduct Handbook, borrowed a total of $3,210.00, more or less, from a client in 1964 without assuring that he had independent legal advice.
4. contrary to Ruling 14 of the Professional Conduct Handbook, borrowed the sum of $1,000.00, more or less, from a client in December, 1965, without assuring that he had independent legal advice;
5. contrary to Ruling 14 of the Professional Conduct Handbook, borrowed the sum of $500.00, more or less, from a client in December, 1965, without assuring that he had independant legal advice.

Your Committee met at the appointed time, the following members being present: Mr. W. G. Gray, the Chairman, in the Chair and Messrs. Henderson, Levinter and Slemin. The solicitor attended with his counsel, Mr. J. E. Eberle, Q.C.

Upon the evidence before it, your Committee finds the first and second specific complaints to be established, the third and fifth specific complaints to be not established and that the fourth specific complaint should be withdrawn.

Your Committee recommends that the solicitor be disbarred and his name struck off the Rolls of the Law Society of Upper Canada.

Your Committee was impressed with the evidence presented by the witnesses as to the solicitor's good character and position in the community and the fact that full restitution has been made.

Stuart Beverley Scott was called to the Bar and admitted as a solicitor of the Supreme Court of Ontario on the 10th of April 1964.

All of which is respectfully submitted.

DATED this 6th day of April 1967.

"W. Gibson Gray"

Chairman

Moved by Mr. Gray, seconded by Mr. Levinter that the Report be adopted.

The solicitor attended with his counsel, Mr. J. E. Eberle, Q.C.

Moved by Mr. Pattillo, seconded by Mr. Henderson, that the matter stand over until the May Convocation.

After discussion Messrs. Pattillo and Henderson withdrew their motion, and the Report was adopted.

IT WAS ACCORDINGLY ORDERED

1. THAT the Report of the Discipline Committee in the matter of STUART BEVERLEY SCOTT, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.
2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said STUART BEVERLEY SCOTT guilty of professional misconduct and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.
3. THAT the said STUART BEVERLEY SCOTT be disbarred.
4. THAT the said STUART BEVERLEY SCOTT is unworthy to practice as a Solicitor.

Messrs. McLaughlin, Robins and MacKinnon having joined Convocation while this matter was being discussed, took no part in the discussion and did not vote.

Re: GORDON ROSS MACKAY, *Toronto*

IN THE MATTER OF THE LAW SOCIETY ACT
AND IN THE MATTER OF GORDON ROSS MACKAY
OF THE CITY OF TORONTO, A BARRISTER AND
SOLICITOR

Notice of Complaint was served upon the solicitor returnable before your Committee on Friday, the 10th day of March, 1967 at 11:30 o'clock in the forenoon. Your Committee met at the appointed time, the following members being present: Mr. Gordon W. Ford, Chairman and Messrs. Levinter and Wilson. It contained the following specific complaint:

> "TAKE NOTICE that it is alleged that you have been guilty of professional misconduct or conduct unbecoming a Barrister and Solicitor in that you have failed to honour the undertaking you gave to the Benchers of The Law Society of Upper Canada in Convocation assembled on the 18th day of March, 1966, said undertaking being that you would submit quarterly audited statements of your professional books and records to the Society."

The Solicitor appeared without Counsel and elected to proceed without counsel acknowledging that he was making this decision freely and voluntarily.

Upon the evidence before it your Committee finds that the specific complaint was established and recommends that the Solicitor be suspended for a period of three months.

Gordon Ross MacKay was called to the Bar and admitted as a solicitor to the Supreme Court of Ontario on the 27th day of June, 1957.

All of which is respectfully submitted.

Dated this 4th day of April, 1967.

"Gordon W. Ford"

Chairman

Moved by Mr. Gray, seconded by Mr. Sheard that the Report be adopted.

Mr. Howland took no part in the discussion and did not vote.

Mr. G. C. Stewart McKeown attended representing the solicitor, and asked that the matter be adjourned for reasons which he outlined.

Moved by Mr. Pattillo, seconded by Mr. Beament, that the matter be referred back to the Discipline Committee with a view to recommending an increased penalty. The motion was lost.

Mr. McKeown's request for an adjournment was refused, and the Report of the Discipline Committee was adopted.

IT WAS ACCORDINGLY ORDERED —

1. THAT the Report of the Discipline Committee in the matter of GORDON ROSS MACKAY, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence of other papers referred to and submitted to Convocation therewith, Convocation finds the said GORDON ROSS MACKAY guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charge dealt with by the said Report.
3. THAT the said GORDON ROSS MACKAY be suspended for a period of three months from the 21st day of April 1967.

Re: TWO SOLICITORS

Mr. Ford, Vice-Chairman, presented the Report to the Discipline Committee:

On the 19th of January 1967 Notice of Complaint was served upon two solicitors in accordance with the Rules, each containing the following specific complaint:

> "TAKE NOTICE that it is alleged that you have been guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that you:
> During the year 1966 contrary to Ruling 18 of the Professional Conduct Handbook, engaged in activities for the purpose of touting or advertising your practice or otherwise attracting clients unfairly."

The Committee reported that after due enquiry it found the solicitors guilty of professional misconduct and conduct unbecoming a barrister and solicitor in that during the year 1966, contrary to Ruling 18 of the Professional Conduct Handbook, they engaged in activities for the purpose of touting or advertising their practice or otherwise attracting clients unfairly in and about the Magistrates Courts; and recommended that they be reprimanded in Convocation and that they be required to pay the costs of the Society's investigation.

Moved by Mr. Ford, seconded by Mr. Common that the Report be adopted.

The solicitors attended with their counsel, who addressed Convocation.

Moved by Mr. G. A. Martin, seconded by Mr. Robins, that the names of the solicitors be not published when the fact that they were reprimanded is published. *Carried.*

The Report was adopted.

Mr. Williston took no part in the discussion and did not vote.

The solicitors attended and were reprimanded by the Treasurer.

GENERAL REPORT

Mr. Gray, Chairman, presented the following Report of the Discipline Committee:

Your Committee met on the 13th of April 1967, the following members being present: Mr. Gordon Ford, the Vice-Chairman, in the Chair, and Messrs. Gray, Beament, Bull, Chappell, Common, Creighton, Evans, Henderson, Howland, MacKinnon, Pattillo, Robins, Thom and Williston.

1. BANKRUPTCY OF MEMBERS OF THE SOCIETY

In the light of Rule 12(c) of the Rules Respecting Accounts, which came into effect in the latter part of 1966, your Committee was asked to consider establishing guidelines to be followed when bankruptcies are reported to the Society. Your Committee has decided that, upon such a report being received, the Society auditors should make the necessary enquiries to satisfy themselves that there is no evidence or indication in the books and records of the solicitor of professional misconduct on the part of the solicitor. In addition, the Society is to request from the solicitor a statement of the circumstances surrounding the bankruptcy and also a copy of the Assignment, if voluntary, and a copy of the Petition, if involuntary. From the foregoing it would then be determined whether a Notice of Complaint should be issued or further investigation carried out.

2. FRANK PAUL — COMPLAINTS AGAINST VARIOUS SOLICITORS

Your Committee received the report of a meeting of the Committee which took place on the 28th of February 1967, chaired by Mr. Pattillo with reference to an investigation of the complaints of a client named Frank Paul, and approved the recommendations set out in the report.

3. COMPENSATION FUND — MANUEL WINEBERG — LAYING FACTS BEFORE THE CROWN

The question of whether or not it should be a condition precedent to hearing a claim for compensation that the claimant lay the facts before a Justice of the Peace, was discussed. It was resolved that as a general rule claimants should not be required to take such steps but that, in any case in which there appeared to be prima facie evidence indicating the substantial probability of a criminal offence having taken place, the Secretary or Assistant Secretary, on the decision and instructions of the Chairman or Vice-Chairman, should direct the claimant to report the facts to the relevant Crown Attorney for investigation by the necessary local law enforcement officer.

THE REPORT WAS ADOPTED.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell.

Your Committee met on 13th April, 1967, the following members being present: Mr. S. E. Fennell, Chairman, Mr. W. G. Gray, Vice-Chairman, and Messrs. Bull, Callon, Dubin, Ford, Goodman, MacKinnon, Slemin and Strauss.

1. RULING 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee had before it one application received from a publisher for approval under Section 3 of Ruling 16, and recommends that the following publication be approved and Notice of approval be published in the Ontario Reports:

Markham's Negligence Counsel.

2. RULINGS 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS
17 — ADVERTISING
18 — TOUTING, ADVERTISING & ATTRACTING BUSINESS UNFAIRLY

Your Committee for some time has been concerned with the problem of the interpretation of all or part of Rulings 16, 17 and 18. It is therefore recommended that a Sub-Committee be appointed to reconsider all aspects of the aforementioned three Rules, and that the Sub-Committee be composed of Messrs. Goodman, MacKinnon and Callon.

3. RULING 18 —TOUTING, ADVERTISING & ATTRACTING BUSINESS UNFAIRLY

RE: SUB-COMMITTEE *re* COLLECTION AGENCIES AND REAL ESTATE REGISTRATION

On the 13th October, 1966, the Professional Conduct Committee approved the appointment of a Sub-Committee to deal with the propriety of solicitors being directors of a corporation which is carrying on a business as a collection agency, and a solicitor being granted registration under the Real Estate and Business Brokers Act, as real estate agents. Subsequently, on the 27th October, the Chairman appointed Mr. J. A. D. Slemin Chairman, and Messrs. Callon and Strauss to serve on the Sub-Committee. Your Committee has now received the Sub-Committee's Report:

> (1) "It is the view of your Sub-Committee that collection of accounts has always been a part of a solicitors practice, and that it would be improper for a solicitor to incorporate a company for the purpose of either directly or indirectly carrying on part of his practice through a corporation. In the opinion of your Sub-Committee, allowing a solicitor to incorporate or be involved with a collection agency could lead to touting. In addition your Sub-Committee is of the view that no member should act for any company incorporated for the purpose of collecting accounts if he or any near relative has a substantial or controlling interest in the company.
>
> (2) With respect to the registration of lawyers as real estate brokers, your Sub-Committee considers that lawyers who become realtors and engage in the real estate business offend the general rule that lawyers may only follow the practice of law and not engage in any other main business, and accordingly your Sub-Committee recommends that such practice be discouraged by the Society."

Your Committee approved paragraph 1 of this Report. Paragraph 2 was referred back to your Committee with the possibility of referring the matter to the Legislation and Rules Committee.

4. RULING 30 — PUBLIC APPEARANCES BY SOLICITORS

RE: SUB-COMMITTEE ON PUBLIC APPEARANCES

On the 13th October 1966, the Professional Conduct Committee approved the appointment of a Sub-Committee to deal with the broad question of the members of the profession appearing on the radio and television on behalf of clients. Subsequently, on the 27th October, the Chairman appointed Mr. B. J. MacKinnon, Chairman, and Messrs. Goodman and Maloney to serve on the Sub-Committee. Your Committee has now received the Sub-Committee's Report:

> "Your Sub-Committee met on Wednesday, the 22nd of March, 1967, at 10:00 o'clock in the forenoon, the following members being present: Mr. B. J. MacKinnon, Chairman, and Messrs. Goodman and Maloney.
>
> The problem given your Sub-Committee as outlined in the letter from the Secretary of the Committee to Sub-Committee members was, broadly, "the question of members of the profession appearing on the radio and television on behalf of clients" and whether Ruling 30 needed any amendment, specifically or generally. The matter apparently was brought to a head as a result of some complaints received in connection with a member's activities in and on all communication media.
>
> Considerable material on the subject was received from the American Bar Association, the Law Societies of Queensland, Tasmania, South Australia, Western Australia, Victoria and the Australian Capital Territory, and from the Law Society of England. This material was summarized and considered.
>
> The American Bar Association is studying this problem in depth but no final report has yet been made and it was decided it would serve no useful purpose to hold up our consideration of the problem pending that report.
>
> The English rule, adopted by many of the Australian states, is a very stringent one. An English solicitor in private practice appearing on radio must have the Law Society's permission to be described by both name and profession, if it is a necessary to the programme. If he appears on television on a legal subject, he should only be described as "a solicitor". If there are special considerations which make his name desirable then he must apply to the Society for permission. If a solicitor is appearing on radio or television on a subject not dealing with the law he should not be described as a solicitor. By way of example is attached the very recent ruling (March 9th, 1967) in this connection by the Law Society of Western Australia.
>
> It is clear, no matter how much some of us might wish that such rules were in force here, that we cannot "turn

the clock back" in this connection, and that what is now considered acceptable in this connection in Canada would breach such a rule.

It is the Sub-Committee's opinion, accordingly, that a careful reading and application of Ruling 30, in conjunction with that part of the Canons of Ethics (Ruling 1) which reads:

> ". . . solicitation of business by circulars or advertisements of by personal communications not warranted by personal relations is unprofessional . . . Indirect advertisement for business by furnishing or inspiring newspaper comment concerning causes in which the lawyer has been or is connected, or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the lawyers' positions, and like self-laudations defy the tradition and lower the tone of the lawyers' high calling, should not be tolerated . . ."

is sufficient protection and guarantee of the integrity of the profession in this area.

In view of the increasing activity of the profession on T.V. and radio, the Sub-Committee suggests that Ruling 30 (with the excerpt quoted from the Canons of Ethics which is largely ignored as a ruling) be reprinted in the Ontario Reports so that it is once again brought forcibly to the attention of the profession. In addition, we suggest that Ruling 30 be circulated to all television and radio stations (and networks) in Ontario with the request that they co-operate to see that the Ruling is not 'unintentionally' breached.

All of which is respectfully submitted." *Adopted.*

"APPEARANCES BY PRACTITIONERS ON T.V.
AND INTERVIEWS ON RADIO

The Council of the Law Society has formulated and now promulgates the following Professional Conduct Rules with respect to T.V. appearances and Radio interviews.

1. That when asked to broadcast or appear on T.V. on a non legal subject a practitioner may be named but no reference should be made to his profession.
2. On an appearance before Television, on a legal subject he may appear (full face if required) but must do so

anonymously although he may be referred to as a member of the legal profession.

3. The president when speaking or appearing as President of the Law Society may be named and identified as the President.

4. In circumstances which do not fall into the foregoing categories a practitioner shall not appear without the approval of the Professional Affairs Committee.

9th March 1967 Loris Wood
(Law Society of Western Australia) Secretary."

5. LEGAL AID PLAN

Your Committee considered a letter addressed to the Chairman from the Treasurer of the Society, concerning the problem of people who are trying to locate a lawyer and indicating in all probability that this problem will be aggravated with respect to the new Legal Aid Plan. It is your Committee's opinion that this is a matter primarily of public relations and therefore proposes to refer the question to the Public Relations Committee.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE

Mr. W. S. Martin presented the Report of the Library Committee:

Your Committee met on the 13th April 1967, the following members being present: Mr. Steele, Chairman, and Messrs. Common, W. S. Martin, McCulloch, Slemin and Strauss.

ACCOUNTS

The amount spent for books to March 31, 1967 totalled $14,133.74. The Phillips-Stewart Library expenditures to the same date were $27,783.54. *Noted*

GIFTS AND DONATIONS

Donations of books have been received from the following:

Miss Hilda Buckmaster—Several copies of issues of the periodical External Affairs, 1956 to date.

Mr. W. S. MacDonald, Q.C.—Eleven volumes of early Canadian and English materials dating from 1812.

Mr. W. J. Smith, Q.C.—An incomplete set of Fox's Patent cases from Vol. 9, 1949 to Vol. 29, 1965, and a volume of the Statutes of Canada, 1953-54. *Noted*

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE

Mr. Weir, Chairman, presented the Report of the Unauthorized Practice Committee:

Your Committee met on the 13th April, 1967, the following members being present: Mr. Nathan Strauss, in the Chair, and Messrs. Beament, Callon, Clement, Creighton, Evans, Fennell, Ford, Levinter, W. S. Martin and Steele.

A. W. BALLETT, CHARTERED ACCOUNTANT

Your Committee has been advised by its counsel that Mr. Ballett, an accountant who had been convicted in the month of December 1966 under Section 6 of the Solicitor's Act by virtue of his having been engaged in the incorporation of companies, has now seen fit to abandon his appeal of the conviction.

THE REPORT WAS RECEIVED.

COUNTY LIBRARIES COMMITTEE

Mr. W. S. Martin presented the Report of the County Libraries Committee.

Your Committee met on Thursday, 13th April 1967, the following members being present: Mr. Strauss, Vice-Chairman in the Chair, and Messrs. Beament, Clement, Common, Evans, W. S. Martin, McCulloch, Slemin and Steele.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following County and District Associations have filed their annual returns for the year 1966 in accordance with Rule 103, and have complied in all other respects with the requirements of the Rules, and recommends that grants be made to them as follows:

Brant	$1,275.00
Dufferin	600.00
Essex	1,850.00
Lincoln	1,850.00
Nipissing	666.67
Norfolk	600.00
Peterborough	927.00
Rainy River	600.00
Renfrew	671.67
Temiskaming	600.00

Approved

DONATIONS

Mr. Priddle, Inspector of Legal Offices, has offered to donate an almost complete set of the Statutes of Ontario from 1867 onwards, and Muskoka Law Association advise that they will be very pleased to accept them. The donation is being acknowledged with thanks. *Noted.*

AMENDMENT OF RULE 103 AND RULE 104(2)

Due to the fact that a large number of the local Associations do not hold their annual meetings until the end of January each year, your Committee recommends that an amendment be made to Rule 103 of the Rules of the Law Society of Upper Canada by deleting from the 3rd and 4th lines thereof the words "31st day of January" and substituting therefor the words "last day of February", so that the Rule as amended would read:

> "103. The annual report of each association, with all other particulars required by the County Libraries Committee shall be transmitted to the Chief Librarian of the Society before the last day of February in each year, and all annual grants where such reports and particulars have been so transmitted shall be payable, upon the recommendation of the county libraries committee within one month after that date, provided that the association shall have taken due and proper care of the books, and shall have maintained and kept the library in the Court House or other place approved of by Convocation in a proper state of efficiency, and complied in all other respects with the requirements of the rules and regulations adopted from time to time by Convocation in relation to county libraries."

and that Rule 104(2) of the said Rules be amended by the deletion of the words "31st of January" in the third line thereof, and the substitution therefor of the words "last day of February", so that Rule 104(2) as amended would read:

> "104. (2) Where the default consists only in the failure of an association to transmit to the Chief Librarian the annual report and particulars referred to in Rule 103 by the last day of February and where this default has been rectified by the 30th day of May in the same year, the committee shall make a special report to Convocation and Convocation may either refuse the annual grant altogether or may, in its discretion, make a grant of a lesser sum than that provided for in Rules 101 and 102."

THE REPORT WAS ADOPTED

PUBLIC RELATIONS COMMITTEE—Mr. W. S. Martin,

Your Committee met on Thursday, 13th April, 1967, the following members being present: Messrs. Martin (Chairman), Evans, Goodman and Pattillo.

1. AREAS WITHOUT LAWYERS: At its meeting in January, the Committee had before it a letter from the Clerk-Treasurer of Chelmsford, Ontario saying that some 5,000 families in his area had no convenient access to a law office and asked for assistance from the Society.

The Committee was asked to consider the general problem this raises and the Secretary has written to every County Law Association in Ontario to find out if such a situation exists elsewhere and to canvas the local Bars for suggestions. Letters have been received from 26 local Bar Associations but so far no situation similar to that reported from Chelmsford has been revealed. The suggestions have been that the Society do what in fact it has already done, namely, to suggest to the town of Chelmsford that it run an advertisement in the Ontario Reports and secondly, that the graduating class of the Bar Admission Course be told of the opportunity of serving in the Chelmsford area. *Noted*

2. CENTENNIAL PROJECTS: In October, 1966 your Committee and Convocation approved that as a Centennial Project the Society consider the preparation of a History of the Profession in Ontario and the establishment of a series of special

lectures on this history to be given in Law Schools in Ontario. Your Committee empowered Mr. Goodman and the Secretary to consider suitable authors and particularly to meet with Mr. Merrill Dennison to discuss the matter with him in general terms. Messrs. Goodman and Jarvis met with Mr. Dennison on the 23rd March and gained the impression that Mr. Dennison through his experience in writing corporate histories including those of Massey-Ferguson, The Ontario Hydro and currently, The Bank of Montreal, as well as many others, was well fitted to advise the Society. Mr. Dennison said that in six months time he could make a feasibility report for the Society's consideration which would indicate the scope and cost of a History of the Legal Profession in Ontario and indicate the time that would be needed to produce it.

Your Committee recommends that Mr. Dennison be asked to make the feasibility report at a fee which was arranged.

3. CORRESPONDENCE—TELEVISION "MAGISTRATES COURT"

At its meeting in January the Committee referred to Mr. Goodman for investigation and report a complaint that the television programme "Magistrates Court" holds up the law to ridicule. Since then a further complaint has been received from a member of the public who considers that the Society should not allow a programme such as that to be produced. Mr. Goodman made enquiries and produced a letter written by Mr. D. Enright of Screen Gems International, New York City, which company produces the programme. From the letter it appears that the programme is filmed in British Columbia with the advice and close co-operation of a member of the Bar there. Mr. Enright's letter describes in detail the production methods employed.

Your Committee recommends that a copy of Mr. Enright's letter be sent to each of the complainants with a letter from the Secretary informing them that the Society does not object to the programme continuing.

THE REPORT WAS ADOPTED

LEGAL AID PROGRAMME COMMITTEE—Mr. G. A. Martin,

Your Committee met on the 12th of April, 1967, the following members being present: Mr. G. Arthur Martin, Chairman and Messrs. Caldbick, Common, Gray, Houser, Keith, Reid, Sale and Waugh.

Mr. D. J. McCourt, Controller of the Legal Aid Fund, and Mr. Michael Mackenzie, of Messrs. Clarkson Gordon, were present by invitation.

APPOINTMENT OF LEGAL ACCOUNTS OFFICER

The Attorney General has appointed Mr. Charles Sale, Q. C., the Legal Accounts Officer of the Ontario Legal Aid Plan, subject to the consideration and approval of the Law Society of Upper Canada.

YORK COUNTY AREA COMMITTEE

Your Committee recommends that the following persons be appointed to the York County Area Committee, in addition to those already appointed:

E. B. Jolliffe, Q.C.
Austin Cooper, Q.C.
J. G. J. O'Driscoll, Solicitor
D. R. Heather, Solicitor
Lieutenant-Colonel William Charles Poulton
    Director, Department of Corrections,
    Salvation Army
Miss Phyliss Haslam,
    Executive Director, Elizabeth Fry Society
L. Guolla, Q.C.
Marshall B. Romanick, Q.C.
B. Clive Bynoe, Solicitor
R. S. Montgomery, Q.C.
Douglas M. McConney,
    Executive Director, Social Planning Council of
    Metropolitan Toronto.

THE REPORT WAS ADOPTED

The Treasurer was authorized to appoint a three man Committee to consider the allocation of space for the Law Society's activities when Osgoode Hall Law School has moved to York University.

LAW SOCIETY FOUNDATION

Mr. Stuart D. Thom, Q.C. was asked to make recommendations to Convocation respecting the reorganization of the Law Society Foundation.

Brendan O'Brien
Treasurer

MEETING OF CONVOCATION

Friday, 19th May, 1967
10 a.m.

PRESENT:

Messrs. Bowlby, Bull, Callon, Cass, Chappell, Creighton, Dubin, Fennell, Ford, Gray, Harris, H. E., Henderson, Howland, Levinter, Maloney, MacKinnon, McLaughlin, O'Brien, Roberts, Robins, Sheard, Steele, Strauss, Thom, Williston and R. F. Wilson.

Mr. R. F. Wilson, Q.C. was elected Chairman.

ELECTION OF TREASURER

Mr. Brendan O'Brien, Q.C. was elected Treasurer for the ensuing year.

Mr. O'Brien then took the Chair and expressed his sincere thanks for the honour that had been conferred on him and the continued confidence that had been displayed in him. He thanked the Benchers and the Secretary and his staff for their wholehearted cooperation and support throughout the year. He then discussed some of the important work that had been done during the year and the projects that are before Convocation.

The Minutes of the meeting of Convocation of 21st April 1967 were read and confirmed.

THE HONOURABLE DANA H. PORTER

late Chief Justice of Ontario.

The Treasurer paid tribute to the memory of the late Chief Justice and announced a special sitting of the Court of Appeal on Tuesday, May 23rd, to honour his memory.

ELECTION OF BENCHER

The Honourable Walter Edward Harris, Q.C. of Markdale was elected a Bencher to fill the vacancy resulting from the Treasurer becoming a Life Bencher by reason of having held the office of Treasurer.

APPOINTMENT OF STANDING COMMITTEES

The Secretary presented the Report of the meeting of the Treasurer, the Chairmen and Vice-Chairmen of Standing Committees:

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED:

A meeting of the Treasurer and Chairmen and Vice-Chairmen of the Standing Committees as presently constituted was held 11th May, 1967, the Treasurer and Messrs. Fennell, Ford, Goodman, Gray, Harris, Howland, Levinter, Sheard, Steele, Strauss, Robins, Weir and R. F. Wilson being present. They recommend that the Standing Committees for the ensuing year be as follows:

1. FINANCE COMMITTEE

Messrs. Fennell
Goodman
Henderson
Howland
Levinter
Martin, W. S.
McLaughlin
Raney
Sheard
Steele
Thom
Weir
Wilson, R. F.

2. LEGAL EDUCATION

Messrs. Callon
Henderson
Sheard
Slemin

Howland
MacKinnon
Pattillo
Robins
Thom
Williston
Wilson, R. F.
Weir

3. UNAUTHORIZED PRACTICE

Messrs. Beament
Bowlby
Callon
Cass
Chappell
Dubin
Fennell
Ford
Henderson
Steele
Strauss
Williston

4. DISCIPLINE

Messrs. Beament
Bowlby
Bull
Cass
Chappell
Common
Creighton
Dubin
Evans
Ford
Goodman
Gray
Harris, H. E.
Henderson
Howland
Levinter
Maloney
Martin, G. A.
MacKinnon
McCulloch
McLaughlin
Pattillo
Robins
Seymour
Slemin
Strauss
Thom
Williston
Wilson, P. D.
Wilson, R. F.

5. LIBRARIES AND REPORTING

Messrs. Beament
Cassels
Chitty
Clement
Creighton
Ford
Harris, H. E.
Martin, G. A.
Steele
Weir

6. ADMISSIONS

Messrs. Callon
Howland
MacKinnon
Pattillo
Robins
Sheard
Slemin
Wilson, R. F.

7. PROFESSIONAL CONDUCT

Messrs. Bull
Callon
Gray
Howland

Dubin
Fennell
Ford
Goodman
MacKinnon
Maloney
Slemin
Strauss

8. LEGISLATION AND RULES

Messrs. Evans
Goodman
Henderson
Pattillo
Roberts
Robins
Sheard
Williston
Wilson, R. F.

9. PUBLIC RELATIONS

Messrs. Bowlby
Chappell
Evans
Goodman
Harris, H. E.
Henderson
Jamieson
Martin, W. S.
Pattillo
Roberts

10. CONTINUING EDUCATION

Messrs. Bull
Cass
Dubin
Gray
Howland
Jamieson
Maloney
Martin, G. A.
MacKinnon
Robins
Slemin
Thom

11. LEGAL AID

Messrs. Beament
Bowlby
Callon
Common
Dubin
Ford
Gray
Levinter
Martin, G. A.
Smith, W. Earl
(Honorary Member)

THE REPORT WAS ADOPTED

Convocation then adjourned to allow the Standing Committees to meet for the election of Chairmen and Vice-Chairmen.

ELECTION OF CHAIRMEN AND VICE-CHAIRMEN

Convocation having resumed, the Reports of the Standing Committees reporting the election of Chairmen and Vice-Chairmen were adopted:

1. FINANCE COMMITTEE
    Chairman — R. F. Wilson
    Vice-Chairman — Terence Sheard

2. LEGAL EDUCATION COMMITTEE
    Chairman — W. G. C. Howland
    Vice-Chairman — S. L. Robins

3. ADMISSIONS COMMITTEE
    Chairman — Terence Sheard
    Vice-Chairman — W. G. C. Howland

4. DISCIPLINE COMMITTEE
    Chairman — W. G. Gray
    Vice-Chairman — G. W. Ford

5. PROFESSIONAL CONDUCT COMMITTEE
    Chairman — S. E. Fennell
    Vice-Chairman — B. J. MacKinnon

6. LIBRARIES AND REPORTING COMMITTEE
    Chairman — R. D. Steele
    Vice-Chairman — G. W. Ford

7. UNAUTHORIZED PRACTICE COMMITTEE
    Chairman — Nathan Strauss
    Vice-Chairman — S. E. Fennell

8. PUBLIC RELATIONS COMMITTEE
    Chairman — W. S. Martin
    Vice-Chairman — E. A. Goodman

9. LEGAL AID COMMITTEE
    Chairman — Isadore Levinter
    Vice-Chairman — G. A. Martin

10. CONTINUING EDUCATION COMMITTEE
    Chairman — S. L. Robins
    Vice-Chairman — W. G. Gray

11. LEGISLATION AND RULES COMMITTEE
Chairman — R. F. Wilson
Vice-Chairman — G. F. Henderson

CANADIAN BAR ASSOCIATION

Moved by Mr. Gray, seconded by Mr. Howland that Mr. J. D. Arnup, Q.C. and Mr. S. L. Robins, Q.C. be appointed the Society's representatives on the Council of the Canadian Bar Association to take office at the annual meeting of the Association in 1967. *Carried*

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA

Moved by Mr. Robins, seconded by Mr. R. F. Wilson, that Mr. Brendan O'Brien, Q.C. be appointed the Society's representative on the Executive of the Conference of the Governing Bodies of the Legal Profession in Canada. *Carried*

APPOINTMENT OF AUDITORS

Moved by Mr. R. F. Wilson, seconded by Mr. Sheard, that Messrs. Clarkson, Gordon & Company be appointed the auditors of the Society for a period of one year from the 1st of July 1967, at an annual fee of $1500.00.

Carried

LEGAL EDUCATION COMMITTEE—Mr. Howland,

Your Committee met 11th May, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, Cass, Creighton, Henderson, MacKinnon, Sheard, Thom, Weir and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the Committee's approval of the following appointments to the Faculty of the Bar Admission Course:

Real Estate

D. M. O'Rorke, Esq., as an Instructor, in place of J. A. Wright, Esq., resigned.

D. E. Rickerd, Esq., as an Instructor, in place of A. A. Russell, Esq., resigned.

Estate Planning

J. F. Kennedy, Esq., as a Stand-by Instructor, in place of M. A. Tikal, Esq., promoted to Instructor.

Approved

PETITION

Hilda Margaret McKinlay entered the Bar Admission Course in July, 1966, and is presently serving under articles in Toronto. She asks permission to complete her articles and then spend one year studying towards the degree of Master of Laws at the Graduate School of Law, Columbia University, and to be allowed to enter the teaching period of the Bar Admission Course in September, 1968. *Approved*

LAURENTIAN LAW SCHOOL

The Sudbury Law Association submitted a brief recommending the establishment of a law school at Laurentian University in Sudbury. Copies have been sent to all members of the Committee. *Received*

CONFERENCE ON THE UNIFORM CONSUMER CREDIT CODE, CHICAGO, JUNE 16TH AND JUNE 17TH, 1967

Professor W. A. W. Neilson asks to attend the Conference on the Uniform Consumer Credit Code to be held in Chicago, June 16th and 17th, 1967, and that his expenses be paid from the Commercial Law Programme Account. *Approved*

APPROVAL OF FOREIGN DEGREES AND COURSES

The Faculty requests the approval of the following Foreign Degrees for eligibility for admission to the Osgoode Hall Law School:

Degree	*University*
B.A.	Brigham Young, Provo, Utah
B.A.	Syracuse University, Syracuse, N.Y.
B.A.	Xavier University, Cincinnati, Ohio

B.A.	Cornell University, Ithaca, N.Y.
B.A.	Rutgers, New Brunswick, New Jersey
B.A.	University of Pennsylvania, Philadelphia, Penna.
B.A.	Moravian, Bethlehem, Penna.
B.A.	University of Miami, Coral Gables, Florida
B.S.	Johns Hopkins University, Baltimore 18, Maryland.

Approved

Professor Halevy asked permission to attend the Annual Meeting of the Canadian Association of Law Librarians which met in Montreal on 5th and 6th May, 1967, and to have his expenses paid. The Chairman gave his approval, and the Committee is asked to ratify it. *Approved*

LAW SCHOOL TEACHING STAFF

Part-time Teaching Staff — Special Lecturers

The Faculty requests approval of the appointment of the following special lecturers. Class assignments are still not in final form, but these Lecturers have already been teaching in this current session.

H. P. Crawford, Esq., Income Tax, 62 hours.

L. R. Freeman, Esq., Q.C., Insurance, 30 hours.

W. M. H. Grover, Esq., Legal Regulation of Competition, 30 hours.

J. C. Baillie, Esq., Securities Regulations, 30 hours.

K. H. Laundy, Esq., Accounting, 36 hours.

J. G. McDonald, Esq., Q.C., Advanced Tax, 30 hours.

R. E. Shibley, Esq., Q.C., Procedure, 60 hours.

W. R. Callow, Esq., Q.C., Local Government, 6 hours.

Your Committee recommends the reappointments be approved.

THE REPORT WAS ADOPTED.

ADMISSIONS COMMITTEE—Mr. Sheard

Your Committee met the 11th May, 1967, the following members being present: Mr. Terence Sheard, Chairman, Mr.

W. G. C. Howland, Vice-Chairman, and Messrs. Bull, Cass, MacKinnon, Robins and R. F. Wilson.

DIRECT TRANSFER

Charles V. Cole (B.A. Mount Allison, 1946; LL.B. Boston, 1948; LL.M. Harvard, 1949). Called to the New Brunswick Bar in February, 1950. He now seeks to proceed under Regulations 2 and 4. *Approved*

COMMONWEALTH TRANSFER

Vasudeo Shankar Khaladkar holds a Certificate showing he passed the B.A. degree examination at University of Bombay, 1936 and the LL.B. First LL.B. examination, Bombay University 1939 and the Second LL.B. Course in 1941. He seeks to proceed under Regulation 11.

Your Committee recommends he be informed he does not qualify under the Society's Regulations.

Sudesh Kumar Luthra holds a University degree in Law, University of Delhi (approved September, 1964) and has practised continuously from 1961 to the present. He seeks to proceed under Regulation 11. *Approved*

Ratookumar Patel (LL.B. Gujerat University India, (The Sir, L. A. Shah Law College) 1953). After chambering for a year in India he went to the United Kingdom and was called to Bar at Lincoln's Inn, in February, 1958. He was admitted to practise in the High Court of Tanzania in January 1960 and has been in practise there since then to the present. He seeks to proceed under Regulation 11. *Approved*

G. M. Sheikh holds the M.A., LL.B. degrees from Trinity College, Dublin, Eire 1953, and was called to the English Bar —Middle Temple—in 1954. He seeks to proceed under Regulation 11. *Approved*

Gurbakhsh Singh obtained the B.A. and LL.B. from Punjab University at Lahore and thereafter was enrolled as a practising lawyer in the Punjab High Court in 1938, where he has practised law continuously to the present. He seeks to proceed under Regulation 11. *Approved*

FULL-TIME MEMBERS OF THE FACULTY OF APPROVED LAW SCHOOLS

Associate Professor C. G. Bale of the Faculty of Law, Queen's University, asks to be called to the Bar and admitted as a solicitor without examination under the statement of policy respecting full-time members of approved Law Faculties in Ontario approved by Convocation the 19th of February, 1960, upon payment of a fee of $200.00. *Approved*

REPORT OF THE EXAMINING BOARD

The report of the examinations held in May, 1967, is before the Committee. The following condidates have passed:

Eric Gordon DeMont
Allan Henry Fitch
Paul Stanley Glowacki *Approved*

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met 11th May 1967, the following members being present: Mr. R. F. Wilson, Chairman, Mr. Terence Sheard, Vice-Chairman, and Messrs. Common, Goodman, Gray, Henderson, Howland, Levinter, Steele, Thom and Weir.

ACCOUNTS

The Secretary reports that from the 1st April 1967 to the 30th April 1967 miscellaneous accounts, properly approved, to the amount of $289,303.40 have been paid.

The Secretary also reports that from the 1st April to the 30th April 1967 Legal Aid accounts to the amount of $12,522.21 have been paid. *Approved*

FINANCIAL STATEMENT, *1st July 1966 to 30th April 1967*

The Secretary lays before the Committee a statement of receipts and disbursements for the period 1st July 1966 to the 30th April 1967. *Approved*

ROLLS AND RECORDS

The Secretary reports:

(1) *Deaths*

That the following former members of the Law Society have died:

Arthur C. Craig, Ottawa (Honorary Life Member)	Called—12 September 1912 Deceased—10 April 1966.

James C. Walt, Toronto	Called—15 November 1928 Deceased—September 1966.
Frederick L. Ward, Q.C., Picton	Called—16 June 1921 Deceased—24 February 1967.
Henry L. Hagey, Q.C., Brantford	Called—15 September 1932 Deceased—12 March 1967
Robert B. Johnston, Q.C., St. Catharines	Called—21 November 1918 Deceased—3 April 1967.
Loyola V. Fitzpatrick, Brockville (Honorary Life Member)	Called—18 November 1915 Deceased—12 March 1967.
Cecil A. Wright, Q.C., Toronto	Called—16 September 1926 Deceased—24 April 1967.
A. W. H. Kerr, Q.C., Sudbury	Called—15 June 1933 Deceased—26 April 1967.

(2) *Disbarment*

That Stuart B. Scott of Gananoque a former member of the Law Society has been disbarred and struck off the Rolls and his name has been removed from the rolls and records of the Law Society:

Called—10th April 1964
Disbarred—Convocation, 21st April 1967.

Noted.

RESIGNATIONS

Your Committee considered and approved applications to be allowed to resign their membership in the Society from the following:

Wallace Arthur McDonald, North Bay
Percival Norman W. Currie, Toronto

In each case your Committee was satisfied that the circumstances justified waiving the requirements set out in the Rule Respecting Resignations.

CONFERENCE OF GOVERNING BODIES OF THE LEGAL PROFESSION IN CANADA—*Grant*

By letter dated the 27th April 1967, Mr. H. St. Geo. Stubbs, Secretary-Treasurer, advised that at the Mid-Winter Meeting of the Executive of the Conference of Governing Bodies on the 5th March 1967 it was resolved that the Conference request for the year 1967 a contribution of $200.00 from the Law Society of Upper Canada. *Approved*

THE REPORT WAS ADOPTED.

DISCIPLINE COMMITTEE

Mr. Gray, Chairman, presented the following Reports of the Discipline Committee:

Re: DONALD JERRY O'BRIEN, *Chatham*

Mr. Steele left Convocation while this matter was being considered.

Mr. Gray read the Report and moved its adoption. He was seconded by Mr. Thom.

Your Committee reported that after due inquiry it found the solicitor guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that he drew money from his trust bank account improperly, failed to maintain at all times sufficient money on deposit in his trust bank account to satisfy his indebtedness to clients for trust funds, and failed to maintain proper books, records and accounts, in accordance with the Rules Respecting Accounts; and recommended that he be disbarred and his name struck off the rolls and records of the Law Society of Upper Canada.

The solicitor attended with his counsel, Mr. John O'Driscoll, who made certain submissions on behalf of the solicitor, and asked that the matter be further adjourned.

Moved in amendment by Mr. Maloney, seconded by Mr. Callon, that the matter be adjourned to the next Convocation, or to an earlier date if Mr. O'Driscoll's investigations be completed in time.

The amendment was lost.

The solicitor and Mr. O'Driscoll returned and Mr. O'Driscoll addressed Convocation and asked that the penalty of suspension be substituted for that of disbarment.

The Report was adopted.

IT WAS ACCORDINGLY ORDERED

1. THAT the Report of the Discipline Committee in the matter of DONALD JERRY O'BRIEN, Barrister, a member of this Society and a Solicitor of the Supreme Court of Ontario, be adopted.

2. THAT upon the facts ascertained and appearing by the said Report and the evidence and other papers referred to and submitted to Convocation therewith, Convocation finds the said DONALD JERRY O'BRIEN guilty of professional misconduct, and of conduct unbecoming a Barrister and Solicitor in respect of the charges dealt with by the said Report.

3. THAT the said DONALD JERRY O'BRIEN be disbarred.
4. THAT the said DONALD JERRY O'BRIEN is unworthy to practise as a Solicitor.

THE LAW SOCIETY OF UPPER CANADA DISCIPLINE COMMITTEE

474—Complaints were received by the Society during the year 1966.

55 Meetings of the Discipline Committee were held — 27 of which were devoted entirely or in part to Compensation Fund matters.

13—Notices of Complaint were considered by the Committee and were disposed of as follows:

3—Disbarred
2—Reprimanded in Convocation
1—Reprimanded in Committee
1—Suspended
1—Investigated — no action taken
5—Pending
—
13
—

In addition,

8—Members were invited to attend before the Committee.
9—Complaints were considered by the Committee.
2—Applications for reinstatement were considered.

Total amount paid out of the Compensation Fund during 1966: Grants, $331,014.49; Counsel fees, etc., $17,693.74.

Paid out for general expenses of Discipline Committee and its work: $47,336.21.

456—Complaints were considered by the Deputy Secretaries or Assistant Secretaries or a member of the Committee where necessary, and were disposed of without reference to or investigation by the Committee as follows:

113—Solicitor's explanation satisfactory
228—Concluded after correspondence.

81—No cause for complaint
15—Not for action by the Law Society
15—Matters for taxation
4—Matters for Courts

456

THE REPORT WAS RECEIVED.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell

Your Committee met on the 11th May, 1967, the following members being present: Mr. S. E. Fennell, Chairman, Mr. W. G. Gray, Vice-Chairman, and Messrs. Bull, Callon, Ford, Howland, MacKinnon and Strauss.

1. Mr. Gordon F. Beddis, President, Ontario Sheriffs' and Court Registrars' Association, wrote to the Society setting out two problems that have come to his attention. Due to their nature, your Committee sought the advice of counsel. An opinion has now been received. The first problem set out by Mr. Beddis was that which arises when a Local Registrar in his capacity as a Special Examiner holds an examination of a judgment debtor. In some areas the solicitor will detail a stenographer, clerk or student from his office and, on occasions, even a representative from the office of his client to take the examination. The Local Registrar is in a quandary whether or not this should be permitted. Counsel referred to Section 6 of the Solicitors Act which he paraphrased as follows:

> "Unless admitted and enrolled and duly qualified to act as a solicitor, no person shall act as a solicitor in any court of civil . . . jurisdiction, or as such . . . carry on . . . any action or proceeding in the name of any other person or in his own name . . . or practice as a solicitor . . ."

and he quoted from Regina ex rel. Smith vs. Mitchell, [1952] O.R. 896 at 903.

Counsel referred to Rules 587 and 596. He gave a few principles taken from decided cases with respect to judgment debtor examinations as follows:

1. The examination is intended to be a cross-examination of the strictest character;

2. The examination should be full, fair and searching;
3. Production of books and records may be required;
4. The examination can extend to property assigned by the debtor;
5. The examination can extend to time anterior to the debt being actually incurred;
6. When examining an officer of a corporation one is entitled to full disclosure of company's affairs and to access to the relevant books.

Counsel went on to say that it was manifest that an examination of a judgment debtor is not a clerical or routine matter. It requires professional knowledge, training and skill. It would, in his view, be irresponsible and unprofessional for a solicitor to permit a layman or clerk to conduct a judgment debtor examination. Further, one must consider that failure of a judgment debtor to answer proper questions can result in an order of committal (Rule 594). Counsel feels such consequences require the questions to be put by a person having professional competence. Also, often a judgment debtor is represented by Counsel and objections are made to questions. Counsel states the person examining must necessarily be familiar with principles of relevancy and the permitted scope of the examination. He stated that it was also, in his opinion, a "proceeding" within Section 6 of the Solicitors Act. In England a managing clerk can represent his principal before a Judge in Chambers. In Ontario, it is improper for a student or clerk to appear in proceedings before a Judge in Chambers. In Toronto the Master presently does not permit a student to represent his principal in a contested motion. In Toronto some County Court Judges presently permit a student to argue a contested motion in Chambers. Out of Toronto, some Local Masters and County Court Judges presently allow students to appear in Chambers. Others decline to allow students to appear except in ex parte applications. The practice varies in accordance with the direction of the judicial officer.

Counsel states in his opinion proceedings before an examiner should follow the analogy of proceedings before a Judge in Chambers. He quotes from Volume 46, The Solicitors Journal, page 2.

In Ontario a clerk cannot represent a client before a Judge in Chambers. Accordingly, he ought not to be permitted to represent a client before an examiner either on a judgment debtor examination or any other examination before the examiner.

Your Committee accepts the foregoing statement and recommends that Mr. Beddis be advised of the view of the Committee respecting Clerks and that with respect to students the matter is receiving further attention. The opinion raised the broader question regarding the scope of the activities of students-at-law generally and clerks employed in solicitors offices. Your Committee recommends that the Treasurer establish a Special Committee to consider and report on the area of legal activities which may or should be properly carried on by clerks and students-at-law.

The second problem raised by Mr. Beddis is the question of laymen establishing themselves as agents for lawyers —

> We have been told that in the County of Simcoe a layman has so established himself and is employed by some of the lawyers in Simcoe County. This situation is difficult to control but it comes to the attention of the Registrar or Clerk when, for example, an affidavit must be taken by this person. In one instance he swore that he was the agent for the solicitor for the plaintiff and this was refused by the Local Registrar on the basis that "agent" as used in the Rules of Practice meant another solicitor and nothing else. At the instance of the solicitor concerned the layman agent simply drafted a new affidavit swearing that he was "in the employ of the solicitor for the plaintiff". Since it has been the practice in Court offices to accept affidavits from employees of solicitors on the signing of default judgments, etc., the Local Registrar felt that he had no option but to accept the affidavit in its new terminology.

Counsel referred to Rules 760, 197 and 199 of the Rules of Practice.

In counsel's opinion "agent" referred to in Rule 760 contemplates that the "agent" be a solicitor. Further, in his opinion, the "clerk . . . of the solicitor, or the clerk of the agent" referred to in Rule 760 is a clerk, regularly employed as a servant by the solicitor or agent, whom the solicitor or agent can control, both as to the work to be done by the clerk and the manner of doing the work. A "clerk" referred to in Rule 760 does not in his opinion refer to an independent layman sporadically employed by a solicitor.

The counsel's answer therefore, to the second question is, that the Registrar or Local Registrar can properly decline to permit a layman to transact business in the office of the Registrar or Local Registrar unless such layman be in the regular employ and under the control of a solicitor.

Your Committee has approved this opinion of counsel and recommends Mr. Beddis be advised accordingly.

2. Your Committee's attention was drawn to an article in a newspaper concerning a duty counsel under the Legal Aid Programme. After considering the circumstances, your Committee was of the opinion that no action should be taken in this matter. Your Committee was also of the opinion that the existing Rules of Professional Conduct apply equally to Legal Aid and to all other areas of practice and that members performing services under the Legal Aid Programme are required to observe these Rules. There may be matters that will arise in the future that require specific attention by your Committee but at present your Committee is of the opinion that special Rules should not be drafted.

THE REPORT WAS ADOPTED.

LIBRARY COMMITTEE—Mr. Steele

Your Committee met 11th May 1967, the following members being present: Mr. Steele, Chairman, Mr. Strauss, Vice-Chairman, and Messrs. Common, Harris and Levinter.

ACCOUNTS

The amount spent for books from the 1st July 1966 to the 30th April 1967 totalled $15,219.48. The Phillips-Stewart expenditures to the same date were $31,506.41. *Noted*

GIFTS AND DONATIONS

Mr. A. H. Hollingworth, Q.C., has kindly donated a large number of legal books to the Great Library. Mr. Hollingworth has been suitably thanked. *Noted*

PERIODICALS ROOM

Difficulty has been experienced in controlling access to the periodicals. One method of alleviating this difficulty is the installation of a door at the entrance of the Periodicals Room at the west end of the main library. In similar libraries periodicals are not generally open to users, but are provided on request.

Your Committee recommends that, subject to the approval of the Finance Committee, such a door be installed.

BOOKS SUGGESTED

Your Committee approved the purchase of a book entitled "Reminiscences of Charles Durand of Toronto, Barrister," at a price of $20.00, as it was felt this volume would be of special interest in the Great Library Canadiana collection.

Approved.

THE REPORT WAS ADOPTED.

AMENDMENTS OF RULES—Rules 85, 86 and 88, and Regulation (7) of the Great Library Regulations

It was moved and seconded that —

Rule 85 of the Rules of the Law Society of Upper Canada be amended by deleting the word "library" in the 3rd line thereof and substituting therefor the words "libraries and reporting";

Rule 86 of the Rules of the Law Society of Upper Canada be amended by deleting the word "library" at the end of the 2nd line thereof and substituting therefor the words "libraries and reporting";

Rule 88 of the Rules of the Law Society of Upper Canada be amended by deleting the word "library" in the 1st line thereof and substituting therefor the words "libraries and reporting";

Regulation (7) of the Great Library Regulations be amended by deleting the word "library" in the 3rd line thereof and substituting therefor the words "libraries and reporting".

Carried.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Strauss

Your Committee met 11th May, 1967, the following members being present: Mr. S. E. Weir, Chairman, and Messrs. Bowlby, Callon, Creighton, Fennell, Levinter, Steele and Strauss.

Your Committee once again considered the question of motor clubs steering business and a letter is being written in connection with this to one of the clubs concerned.

THE REPORT WAS RECEIVED.

COUNTY LIBRARIES COMMITTEE—Mr. H. E. Harris

Your Committee met on 11th May 1967, the following members being present: Mr. Harris, Chairman, Mr. Strauss, Vice-Chairman, and Messrs. Cass, Fennell, Steele and Weir.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following County and District Associations have filed their annual returns for the year 1966 in accordance with Rule 103, and have complied in all other respects with the requirements of the Rules, and recommends that grants be made to them as follows:

Haldimand	$600.00
Huron	$600.00
Kenora	$600.00

Approved

THE REPORT WAS ADOPTED.

SPECIAL CALL TO THE BAR—The Honourable Pierre E. Trudeau, Q.C., Minister of Justice.

Moved by Mr. Ford, seconded by Mr. Maloney, pursuant to Section 4 of The Barristers' Act, that the Honourable Pierre E. Trudeau, Minister of Justice and Attorney General of Canada, be called to the Bar of Ontario on Thursday, 22nd June 1967, without complying with any of the rules of the Society as to admission, examinations, payment of fees, or otherwise. *Carried*

ONTARIO INTERPROFESSIONAL LIAISON COMMITTEE—Mr. Howland

A meeting of the Committee was held on February 22nd, 1967 as the guest of The Ontario Pharmacists' Association. The meeting was devoted to a consideration of the subject of the incorporation of members of the various professions.

Mr. Stuart D. Thom, Q.C., was a guest of the Committee.

The Pharmacists are unique in that while rendering a professional service they are also involved in a commercial venture. Incorporation has always been possible in the retail practice of pharmacy but there are great risks in lay control and management. Since 1954 the majority of the Board of Directors of a corporation must be pharmacists and the majority of all classes of shares must be owned by pharmacists.

The Institute of Chartered Accountants prohibits the carrying on in separate corporate form of the practice of public accounting. Only the practice of management consulting can be carried on in corporate form. Incorporation in the practice of public accounting is not permitted in the United Kingdom nor is it permitted by the American Institute of Certified Public Accountants. The Institute of Chartered Accountants of Ontario felt that there were four basic ethical reasons for the existing prohibitions:—

1. The possibility of participation by non-professional persons in the fees, income and direction of a professional practice.
2. A question as to whether a chartered accountant who was a shareholder, officer or employee of a corporation could be made responsive to professional discipline for the unethical acts of a corporation.
3. Doubt as to whether or not there should be a limitation of personal liability.
   It was noted, however, that there was concern about the recent trends of litigation particularly in the United States where actions for damages involving many millions of dollars have been instituted against public accounting firms.
4. The effect that practising through a corporation might have on the personal relationship of the public (the client) with the practising member of the profession.

The Institute felt it was best for the matter of incorporation to be left to the specific legislation governing a profession or the rules of professional conduct of the profession.

The Ontario Medical Association favoured members of the medical profession being allowed to incorporate provided that all the shareholders were licensed physicians in good standing, the corporate name was approved by The College of Physicians and Surgeons, and the physician remained subject to The Medical Act. The medical profession were much concerned about the liability aspect and favoured incorporation from the point of view that a physician could limit his liability for the actions of other physicians. However it would be a condition that the physician's liability for his own actions should be unlimited.

In so far as the engineering profession is concerned the practice of professional engineering by corporations under the corporate name has been allowed in Ontario since 1952, and the majority of engineering practices have been incorporated. Large projects require a large organization with highly trained personnel and substantial plant, equipment and capital.

It was noted that some law firms have incorporated service companies to provide staff and lease premises and equipment to the partnership.

It was pointed out that the tax advantages of incorporation are not as great as had originally been thought but that incorporation from the point of view of limiting liability was important.

The majority of architects favour incorporation.

THE REPORT WAS RECEIVED.

Convocation discussed briefly the Interim Report of Mr. Allan F. Lawrence, Q.C., M.P.P., Chairman of the Select Committee on Company Law.

Moved by Mr. R. F. Wilson, seconded by Mr. Howland, that the Treasurer appoint a special committee of three members of Convocation to consider the question of the incorporation of law practices. *Approved*

Special Committee on the Law Society Gazette

Moved by Mr. Howland, seconded by Mr. Levinter, that a Special Committee be appointed to be responsible to Convocation, for the production and publication of The Law Society Gazette, to be composed of: Messrs. Beament, H. E. Harris, G. A. Martin and MacKinnon. *Approved*

"Brendan O'Brien"
Treasurer

MEETING OF CONVOCATION

16th June 1967

PRESENT

The Treasurer, and Messrs. Arnup, Beament, Bowlby, Bull, Callon, Chitty, Commons, Creighton, Dubin, Evans, Fennell, Ford, Gray, H. E. Harris, W. E. Harris, Howland, Levinter, Maloney, G. A. Martin, W. S. Martin, McLaughlin, Pattillo, Robins, Seymour, Sheard, Steele, Strauss and R. F. Wilson.

The Minutes of the meeting of Convocation of the 19th May 1967 were read and confirmed.

The Treasurer welcomed the Honourable Walter E. Harris, Q.C., who attended Convocation for the first time after his appointment as a Bencher in May 1967.

He was appointed to the Finance, Legislation and Rules, and Public Relations Committees.

SPECIAL COMMITTEE ON ACTIVITIES OF STUDENTS-AT-LAW

The Treasurer announced the appointment of a Special Committee on Activities of Students-at-law, to be composed of Messrs. MacKinnon, Chappell and Dubin.

SPECIAL COMMITTEE ON INCORPORATION OF LAW PRACTICES

The Treasurer announced the appointment of a Special Committee on Incorporation of Law Practices, to be composed of Messrs. Fennell, Thom and Henderson.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on the 8th day of June, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Henderson, MacKinnon, Sheard, Thom and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the Committee's approval of the following appointments to the Faculty of the Bar Admission Course:

Real Estate

C. C. Johnston, Esq., to be promoted from Stand-by Instructor to Instructor. D. G. Friend, Esq., to be promoted from Stand-by Instructor to Instructor. R. D. Yachetti, Esq., to be appointed as a Stand-by Instructor.

Approved

PETITIONS

Dennis Greer Beattie, a student of the old Four Year Course completed his written requirements for qualification for call to the Bar in August, 1960, but failed to obtain a passing grade in his oral examination. He was allowed to attempt the oral examination again in August and in October, 1960, in April and again in June, 1961, but failed each time to obtain pass standing. At its meeting on 15th June, 1961, the Committee refused to allow him to sit the oral examination again. Mr. Beattie then asked to be allowed to enter the Bar Admission Course and in September, 1962, he was granted special permission to take the teaching period of the Bar Admission Course upon the understanding that he could attempt it only once. Mr. Beattie failed to attain pass standing and sought permission to repeat it. The Committee refused the request 18th April 1963.

Mr. Beattie now asks the Committee to consider a further petition to be allowed to complete the teaching period of the Bar Admission Course. He also asks to be allowed to address the Committee.

Your Committee recommends that he be informed that his petition is refused.

OSGOODE HALL LAW SCHOOL

EXAMINATION RESULTS — SPRING 1967

Third Year LL.B. Course

The Acting Dean submits the following results.

There were 166 students who were entitled to write the Spring Term examinations. The complete returns are as follows:

Medals

Silver Medal—B. P. Bellmore
D. H. Lapowich

Honours

The following students having passed all examinations and obtained at least 75% of the aggregate marks obtainable are entitled to pass with Honours:

B. P. Bellmore

D. H. Lapowich

Scholarships

According to the returns of the examiners, the following are entitled to scholarships:

The Chancellor Van Koughnet Scholarship
B. P. Bellmore — $400

The Christopher Robinson Memorial Scholarship
D. H. Lapowich — $300

The Matthew Wilson Memorial Scholarship
E. T. McDermott — $200

The Clara Brett Martin Memorial Scholarship
for the highest mark in Estate Planning
E. T. McDermott — $25

The Prize in Conflict of Laws
Miss J. E. Stewart — $50

The Prize in Creditors' Rights
D. H. Lapowich — $100

The Prize in Admiralty Law
E. Siemens — $100

The Prize in Labour Relations Law
B. P. Bellmore — $100

The Insurance Company of North America —
H. C. Mills Memorial Award
D. H. Lapowich — $200

The Prize in Income Tax
I. G. Thorne — $50

The Northern Ontario Prize
T. E. Maki — $100

The Butterworth Prize
B. P. Bellmore

The Prize in Public International Law
W. S. Kenny

The Reading Law Club Prize in Jurisprudence
C. G. Watkins — $50

The Thomas Cowper Robinette Memorial Prize
for the highest mark in Criminology
A. G. Campbell — $150

Summary and Comparative Analysis

	Spring 1966	*Spring 1967*
Honours	1	2
Pass Class I	37	39
Pass Class II	97	113
	135	154
Aegrotat	6	3
Supplementals	5	9
Failures	2	—
	148	166

Received

LAW SCHOOL TEACHING STAFF

Part-time Teaching Staff

Special Lecturer

The Acting Dean requests permission to appoint Professor Mark MacGuigan, Dean of Windsor University Law School, as a special lecturer to teach one section of Constitutional Law in the academic session 1967-68. *Approved*

ADMISSION OF SPECIAL STUDENT

The Acting Dean recommends that *Rennie J. Vivian,* Director of the Juvenile and Family Court in the County of Halton, be permitted to attend the Course on Family Law as a special student in 1967-68, with examination privileges, upon payment of a fee of $100.00. *Approved*

APPROVAL OF LAW FACULTIES –

McGill University

A draft submission by the Faculty of Law of McGill University is before the Committee describing a proposed programme of legal education in Common Law and Civil Law. The intention is to provide a course of combined studies which will entitle the graduate to qualify for practice in any Canadian jurisdiction.

The Committee is asked to comment upon the draft submission which, if it is or can be made acceptable, will be presented in the fall embodying a request for approval of the LL.B. Course proposed at McGill University for the purpose of having its graduates enter the Bar Admission Course.

Received

THE REPORT WAS ADOPTED.

ADMISSION COMMITTEE—Mr. Sheard

Your Committee met on the 8th day of June, 1967, the following members being present: Mr. Terence Sheard, Chairman, and Messrs. Fennell and R. F. Wilson.

SPECIAL CALL TO THE BAR AND CERTIFICATE OF FITNESS — THE MINISTER OF JUSTICE *(Thursday, 22nd June, 1967)*

By Resolution of Convocation 19th May, 1967.

The Honourable Pierre Elliott Trudeau, Q.C.

Approved

CALL TO THE BAR AND CERTIFICATES OF FITNESS

The following candidate having filed the necessary papers and complied with the requirements of the Admissions Committee in his particular case is now entitled to be called to the Bar and to be granted a Certificate of Fitness:

Cecil Gordon Bale	Special — Faculty of Law — Queen's University Fee $200.00.	*Approved*

Transfers from Another Province

The following candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now apply for call to the Bar and to be granted Certificates of Fitness:

Eric Gordon Demont — Nova Scotia
Paul Stanley Glowacki — Manitoba. *Approved*

DIRECT TRANSFER

Sam N. Filer — The applicant obtained a B.A. and B.Comm. degrees in 1956 from the University of Saskatchewan; LL.B. Saskatchewan, (1959) (Appr. '61); LL.M. New York University, 1967. He was called to the Bar in Alberta in 1961. The applicant states that he has engaged continuously in the practice of law since his call but for the period since September 1966 when he was granted leave of absence from his firm to engage in post graduate studies at New York University. He seeks to proceed under Regulation 2. *Approved*

DIRECT TRANSFER FROM QUEBEC

Edwin A. Foster. Your Committee recommends that he be allowed to proceed under Regulation 4A.

Laszlo Szemenyei. Your Committee recommends that he be required to complete the Bar Admission Course both the articling and teaching periods.

COMMONWEALTH TRANSFERS

Maurice Alexander Charles (Mr. Justice Charles of the High Court of Ghana). Your Committee recommends that he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course.

Sudarshan Kumar Jain. Your Committee recommends he be informed that he does not comply with the Society's regulations and that the circumstances he has put before the Committee do not justify an exception being made.

O. P. Sachdeva. Your Committee recommends he be allowed to proceed under Regulation 11 and that he be required to complete the Bar Admission Course.

THE REPORT WAS ADOPTED.

FINANCE COMMITTEE—Mr. R. F. Wilson

Your Committee met on the 8th June 1967, the following members being present: Mr. R. F. Wilson (Chairman), Mr. Terence Sheard (Vice-Chairman), and Messrs. Fennell, Henderson, Howland, Levinter, Steele and Thom.

ACCOUNTS

The Secretary reports that from the 1st May 1967 to the 31st May 1967 accounts, including Library Accounts, properly approved, to the amount of $70,184.55 have been paid.

The Secretary also reports that from the 1st May to the 31st May 1967 Legal Aid Accounts to the amount of $1,498.01 have been paid. *Approved*

FINANCIAL STATEMENT, 1st July 1966 to 31st May 1967

The Secretary lays before the Committee a statement of receipts and disbursements for the period 1st July 1966 to the 31st May 1967. *Approved*

ROLLS AND RECORDS

The Secretary reports:

(1) *Deaths*

That the following former members of the Law Society have died:

Hector J. Pothier, Q.C., St. Catharines	Called—24 September 1952; Deceased—23 April 1967.
John T. Mulcahy, Pembroke (Honorary Life Member)	Called—16 September 1904; Deceased—3 May 1967.
John H. Woodhouse, Q.C., Welland	Called—19 September 1940; Deceased—20 May 1967.
Arthur A. MacDonald, Q.C., Toronto (Hon. Life Mem.)	Called—11 February 1914; Deceased—25 May 1967.
Miss E. Grace Gordon, Q.C., Toronto	Called—22 May 1924; Deceased 2 June 1967.

(2) *Disbarment*

That the following former member of the Law Society has been disbarred and struck off the rolls and his name has been removed from the rolls and records of the Law Society:

Donald J. O'Brien, Chatham	Called—18 February 1954 Disbarred—Convocation, 19 May 1967

Noted

RESIGNATIONS

Your Committee considered and approved applications to be allowed to resign their membership in the Society from the following:

Arthur Augustine McGrory, Q.C., Ottawa
Nicol Kingsmill, Q.C., Toronto.

In each case your Committee was satisfied that the circumstances justified waiving the requirements set out in the Rule Respecting Resignations.

COUNSEL — *Legislation and Rules Committee*

Mr. W. B. Common, Q.C., and Mr. L. R. McTavish, Q.C., were retained to advise the Legislation and Rules Committee and to assist in drafting the proposed new Law Society Act. It was understood that in the circumstances Mr. Common would be paid for his work, notwithstanding that he is a Bencher.

Accounts for the work done have now been received and approved.

APPOINTMENT OF ASSISTANT SECRETARY

John H. Lytle, a graduate of 1967, was engaged as an Assistant Secretary as of the 5th June 1967. *Approved*

BARRISTERS LUNCH ROOM

At its meeting on the 13th April 1967 your Committee referred to the Chairman, the Treasurer and the Secretary the engagement of a Manager of the Barristers' Lunch Room. They have engaged Mrs. Robert Bested who has had some eight years experience in the lunch room, and who is thoroughly familiar with its operation. She has been engaged on the same basis as the Misses Lennox, namely that the Society provide the necessary equipment and the Manager provide all consumable materials and service. The Manager is to provide suitable meals at reasonable prices, and be responsible for paying herself and her staff and for the maintenance of the equipment and facilities, except for fair wear and tear.

Your Committee also met on Monday, the 12th June 1967 at 1:45 p.m., the following members being present: Mr. R. F. Wilson (Chairman), Mr. Sheard (Vice-Chairman), and Messrs. Goodman, Howland, Levinter and McLaughlin.

Your Committee considered the financing of The Law Society Gazette which was begun on the recommendation of the Public Relations Committee, but not contemplated at the time that Committee's budget was cast.

Your Committee recommends approval of the cost of the first issue of The Law Society Gazette at $3,815.82.

The Gazette is now the responsibility of the Special Committee on Law Society Gazette, which has no budget, and your Committee recommends approval of the cost of the second issue in an amount not to exceed $3,000.00.

The Report was adopted. Mr. Common did not vote.

RE: BARRISTERS' LUNCH ROOM

Moved by Mr. R. F. Wilson, seconded by Mr. Sheard, that the Misses Lennox be awarded an honorarium of $500.00 each as an expression of the Society's appreciation of their services in the barristers' luncheon room over the years. *Carried*

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Eric Gordon DeMont — Special — Nova Scotia
Paul Stanley Glowacki — Special — Manitoba.

LIBRARIES AND REPORTING COMMITTEE—Mr. Steele

Your Committee met on 8th June, 1967, the following members being present: Messrs. Steele (Chairman), Beament and Harris, H. E.

PHILLIPS-STEWART LIBRARY — BUDGET

Your Committee was advised that the expenditures for the Phillips-Stewart Library, up to and including the 31st May 1967 amounted to $34,992.22. Current unpaid invoices covering purchases from February 1967 total approximately $7,586.68.

In light of the fact that the 1966-67 budget for the Phillips-Stewart Library is $38,500.00 your Committee recommends that it pay the Phillips-Stewart Library accounts in the order in which they have been received until the budget provided has been exhausted and no further. Your Committee further recommends that the matter of over-spending be referred to the Legal Education and the Finance Committees.

ANNUAL GRANTS

Your Committee reports to the Finance Committee that the following County and District Associations have filed their annual returns for the year 1966 in accordance with Rule 103, and have complied in all other respects with the requirements of the Rules, and recommends that grants be made to them as follows:

Carleton		$1,850.00
Lanark		600.00
Lennox & Addington		600.00
Lindsay		756.67
Ontario		1,566.67
Peel	$1,572.00	
Less loan	700.00	
		872.00
Parry Sound	$ 600.00	
Less Loan	200.00	
		400.00
Prescott and Russell		600.00
Sault Ste. Marie		1,100.00
Simcoe		1,602.00
Stormont, Dundas and Glengarry		866.67
Sudbury		1,775.00
Thunder Bay		1,250.00

Approved

THE REPORT WAS ADOPTED.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell

Your Committee met on the 8th day of June, 1967, the following members being present: Mr. S. E. Fennell, Chairman, Mr. B. J. MacKinnon, Vice-Chairman, and Messrs. Bull, Howland and Strauss.

1. Convocation, at its November 1966 meeting, adopted your Committee's Report wherein it recommended the publication of a Memorandum of the Alberta Law Society concerning "Finder's Fees". Subsequently, some confusion arose in the profession as to whether this Memorandum should be considered as having the same force and effect as a Ruling. Your Committee has reviewed the question and recommends that the following be published as a Proposed Amendment to Ruling 15:

RULING 15

MORTGAGE AND OTHER FINANCIAL TRANSACTIONS

1. MORTGAGE BROKERS

Solicitors Acting as such —

Since the introduction of the Mortgage Brokers Registration Act a solicitor who falls within its provisions must obtain registration thereunder. The Act defines a mortgage Broker as:

> . . . a person who carries on the business of lending money on the security of real estate, whether the money is his own or that of another person, or who holds himself out as or who by an advertisement, notice or sign indicates that he is a mortgage broker, or a person who carries on the business of dealing in mortgages.

Limitations are placed, pursuant to this Act on such solicitors advertising in this field. But such advertising is still subject also to the views of the Law Society as expressed in Rulings from time to time.

The Committee has ruled it to be unobjectionable for a solicitor to place a notice in the classified advertising pages of daily newspapers that he has money to loan. An advertisement showing this and merely his name and address and phone number with no reference to qualification as a solicitor is unobjectionable. But anything beyond this is.

2. FINDER'S FEES

(a) It is improper for a lawyer acting for the person introduced by him to a mortgage company, financial institution or other lender, to accept a finder's fee unless (i) he makes full disclosures to his client, and (ii) pays the fee over to the client or credits the same against his own account to the client. The principle here involved is that the lawyer should not, by receiving or bargaining for compensation from any source except his client, put himself in a position which might interfere with his undivided loyalty to the client.

(b) Quite apart from any question of finders' fees, a lawyer should not introduce a client to a mortgage company, financial institution, or other lender for which he regularly acts, unless (a) he makes disclosure of his relationship with the latter to the client, and (b) counsels the client to obtain appropriate independent advice.

2. RULING 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee had before it one application received from a publisher for approval under Section 3 of Ruling 16, and recommends that the following publication be approved and Notice of Approval be published in the Ontario Reports:

ATTORNEY'S FORWARDING DIRECTORY.

3. SUB-COMMITTEE ON RULINGS 16, 17 and 18

At the April meeting of Convocation the appointment of a Sub-Committee of your Committee to reconsider all aspects of Rulings 16, 17 and 18 of the Rules of Professional Conduct was included in the Professional Conduct Committee Report and so adopted. The Sub-Committee has now requested permission to place a Notice to the Profession in the Ontario Reports to the effect that the aforementioned three Rules are being reconsidered and inviting comments from the profession at large.

Your Committee recommends that such approval be granted.

4. MISCELLANEOUS

Your Committee considered an enquiry from a solicitor with respect to whether it was necessary for a solicitor to disclose to his client monies that have been received as a result of a settlement and which were allocated under the terms of the settlement to the solicitor's costs.

Your Committee instructed the Secretary to advise the solicitor that all costs so received are the client's costs, that disclosure should be made of their receipt and credit given to the client accordingly.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON THE LAW SOCIETY GAZETTE

Mr. Beament presented the Report.

Your Committee met on 8th June, 1967, the following members being present: Messrs. Beament, Harris and MacKinnon (Chairman). The Secretary was present and Mr. J. Honsberger, the Editor, attended at the Chairman's invitation.

The basic reason for the meeting was to ascertain the actual cost of the first issue of the Gazette as well as to estimate the costs for the remaining three issues (2 this year and 1 at the beginning of next year) of the four issues originally contemplated and approved by Convocation as an initial commitment.

We were advised that the costs of the first issue were as follows:

1. Printing (6,000 copies of 68 pages)	$2,175.00
2. Postage	442.82
3. Editor	1,000.00
4. Layout	200.00
Total	$3,815.82

The first issue amounted to 68 pages and the editor advised us that he felt that the next two issues (and possibly the three issues) would be around 32-36 pages an issue with a corresponding reduction in costs. The estimated costs for the next edition are as follows:

1. Printing	$1,100.00
2. Postage	450.00
3. Editor	1,000.00
4. Layout	150.00
Total	$2,700.00

The reason given for the first issue being more expensive was that (a) it being the first issue more service was required in the way of proofs from the printer (b) the layout required more time and planning and (c) it was decided to print the Treasurer's report to the Mid-Winter meeting of the Ontario Section of the Canadian Bar Association in full. This will not be repeated for at least another year.

It is estimated, accordingly, that a budget of $6,000.00 for the next two issues (which, hopefully, will be published in September and November) should carry it to the end of the year.

There were certain questions of policy raised and the Committee is of the view that no final decision on these matters should be made until, at least, the second issue of the Gazette has been published and reaction to it has been ascertained and considered.

The members of the Committee feel that Editor should be given complete co-operation and assistance by all members of the Bench. If there is any particular matter which comes before any Committee which a Bencher feels is of immediate importance or interest to the profession, he should take the matter up with the Committee Chairman to see if it is possible to prepare a suitable memorandum for the Editor on it. It was felt that discussions of questions of legal ethics would be of particular interest to the profession.

THE REPORT WAS ADOPTED.

LEGAL AID AND PROGRAMME COMMITTEE — Mr. G. A. Martin

Your Committee met on the 7th day of June, 1967, the following members being present: Mr. G. Arthur Martin, Chairman, and Messrs. Callon, Caldbick, Common, Gray, Houser, Keith, Reid, Sale and Waugh.

Mr. John Magwood, Q.C., Area Director for York County, Mr. D. J. McCourt, Controller, The Legal Aid Fund, and Mr. Irving Nyman, Consultant, Woods Gordon & Co., were present by invitation.

THE LAW SOCIETY'S ANNUAL REPORT TO THE ATTORNEY GENERAL

Pursuant to Section 10 of the Legal Aid Act, 1966, the Committee instructed the Director to prepare a draft of the Law Society's annual report to the Attorney General, setting out the steps taken leading to the establishment of the Legal Aid Plan, including:

a) the Director's tour of the Province to acquaint the County and District Law Associations with the Legal Aid Act and to obtain recommendations for the office of Area Director in each area and also recommendations with respect to appointments to Area Committees;

b) the preparation of the Regulation;

c) the appointment of Area Directors and Area Committees;

d) the Area Directors meetings;

e) the meeting of the York County Bar at Massey Hall;

f) the panel discussion of Legal Aid at the Mid-Winter Meeting of the Canadian Bar Association;

g) the function of the Duty Counsel and the memoranda with respect thereto;

h) the function of the Public Relations Committee;

i) statement of the nature and amount of legal aid given;

j) statement of the receipts and disbursements of the Fund, and a copy of the Auditor's report to be filed as an appendix to the report.

Your Committee instructed the Director to make a complete and full report on the operation of the Plan and has authorized the Director to employ such editorial assistance as he considers necessary to edit the report.

MONTHLY MEETINGS OF THE LEGAL AID PROGRAMME COMMITTEE

Your Committee recommended that meetings be held on the third Thursday of each month of the year at 11:00 a.m. to receive the report of the Provincial Director.

STATISTICS

The following figures, on the basis of information thus far received, summarize the activities of the Plan from the 29th March to the 31st May, 1967:

Applications

Received	10,345
Refused	713
Referred to Welfare	9,632

Certificates Issued

A total of 3,416 certificates were issued, of which 410, or 12% contained an agreement by the client to contribute toward the cost of the Legal Aid.

Persons assisted by Duty Counsel

Civil	1,018
Criminal	6,966
Total	7,984

The Legal Accounts Officer reported that to the end of May, 1967 there have been received and processed 789 solicitors' accounts.

AREA COMMITTEES

Section 4(1) of The Legal Aid Act, 1966 provides that the Law Society may appoint a Legal Aid Committee for an area. Your Committee recommends that the following be appointed members of the Legal Aid Area Committee for the following areas:

Appointments

1. *Rainy River District Area Committee*
    John C. Smith, Q.C., Fort Frances
    Julius L. Eustace, Solicitor, Fort Frances
    Douglas J. Sleeman, Solicitor, Fort Frances
    Ronald D. King, Probation Officer, Fort Frances
    J. Murray Donnelly, Local Master of Titles, Fort Frances.

2. *Lambton County Area Committee*
    The addition of the following members:
    N. L. LeSueur, previous co-ordinator of the voluntary Legal Aid Plan in Lambton County
    The Right Rev. J. A. Cook, Social Service Bureau, City of Sarnia.

3. *District of Muskoka Area Committee*
    The addition of the following members:
    Mr. Oscar Finnson, Rubberset Company (Canada) Limited, former mayor of Gravenhurst
    Mr. Jack Johnston, R.R. #1, Bracebridge, Reeve of Township of Monck

4. *Waterloo County Area Committee*
    The addition of the following members:
    F. L. Dreger, Q.C., President, Waterloo County Law Association
    W. R. Artindale, Q.C., Secretary, Waterloo County Law Association.

5. *Counties of Lennox & Addington Area Committee*
    The addition of the following member:
    Herbert Hasler, Division Court Clerk.

6. *County of Carleton Area Committee*
    The addition of the following member:
    George Addy, Q.C., Ottawa.

Resignations

Your Committee has received resignations from the following:

1. Mr. William J. McCaig, Deputy Local Registrar, Cobourg, has resigned from the Northumberland and Durham Area Committee.
2. Mr. Jean Pierre Beaulne, Q.C., has resigned from the County of Carleton Area Committee.

THE REPORT WAS ADOPTED.

Mr. G. A. Martin submitted his resignation as Chairman of the Legal Aid Programme Committee.

Moved by Mr. Ford, seconded by Mr. Beament, that Mr. G. A. Martin's resignation as Chairman of the Legal Aid Programme Committee be accepted, and that Mr. T. P. Callon be appointed Chairman in his place. *Carried*

The Treasurer thanked Mr. Martin on behalf of the Benchers and the profession for his very great contribution to the work of this Committee.

CORRESPONDENCE

The Treasurer read a letter from Mr. G. S. Macdonald, Q.C., thanking the Treasurer and Benchers for flowers sent by the Society at the time of the death of his father, Mr. A. A. Macdonald, Q.C.

CONVOCATION THEN ROSE.

"Brendan O'Brien",
Treasurer.

SPECIAL MEETING OF CONVOCATION

Thursday, 22nd June 1967

PRESENT:

The Treasurer, and Messrs. Bowlby, Bull, Callon, Chappell, Clement, Ford, Howland, Levinter, MacKinnon, Raney, Robins, Sheard, Slemin, Strauss and Thom.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on Thursday, the 22nd day of June. 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Callon, MacKinnon, Thom, Sheard and Slemin.

OSGOODE HALL LAW SCHOOL

HONORARY DEGREE

At the meeting of Convocation on 21st April, 1967, the Treasurer announced that the Degree of Doctor of Laws honoris causa would be conferred upon Cecil Augustus Wright, Q.C., B.A., S.J.D., LL.D., and read a letter from Dr. Wright in which he graciously accepted the invitation to receive the degree. On 24th April, 1967, Dr. Wright died. At the meeting of Convocation on 19th May, 1967, the Treasurer announced that since the death of Dr. Wright prevented the degree being conferred, we would pay tribute to his memory at the Academic Convocation on 22nd June, and the citation that he would have received would be presented to his widow.

Received

EXAMINATION RESULTS — SPRING 1967

FIRST YEAR LL.B. COURSE

There were 200 students who were entitled to write the Spring Term examinations. The complete returns were as follows:

Honours

The following students having passed all examinations and obtained at least 75% of the aggregate marks obtainable are entitled to pass with Honours:

S. R. Fodden
G. I. Kirke

Prizes or Scholarships

According to the returns of the examiners, the following are entitled to scholarship or prizes:

Law Society Scholarship for Standing first with Honours

S. R. Fodden — $200.

Law Society Scholarship for Standing Second with Honours

G. I. Kirke — $150

The Richard Halliburton Greer Prize for Highest Marks in Criminal Law and The Harry R. Rose Criminal Law Prize

G. I. Kirke — $125

The Lawyers Club War Memorial Prizes for Highest Marks in Civil Procedure

First Prize — R. A. Partyka — $100.
Second Prize — R. D. Wilson — $50.

The Samuel Factor Memorial Prize for Highest Mark in Contracts

G. I. Kirke — $50.

The Prizes in Judicial Process

First Prize — A. R. G. Wight — $75
Second Prize — B. Vanden Brink — $50

The Prize in Torts

S. R. Fodden — Carswell Company Prize
G. I. Kirke — Carswell Company Prize

Summary and Comparative Analysis

	Spring 1966	*Spring 1967*
Honours	3	2
Pass Class I	36	27
Pass Class II	84	89
Aegrotat	0	1
Supplementals	56	51
Failed	22	30
	201	200

SECOND YEAR LL.B. COURSE

There were 171 students who were entitled to write the Spring Term examinations. The complete returns are as follows:

Prizes or Scholarships

The Reading Law Club Prize for Highest Mark in Commercial Law

B. D. Chercover — $25
C. S. Nelson — $25

The Ivan Cleveland Rand Scholarship for Highest Mark in Constitutional Law

D. M. Beatty — $100

The Prize in Company Law
A. H. Coles — $100

The William Bruce Henderson Prize for Highest Mark in Conveyancing and Mortgages
R. D. Midgley — $50

The Canada Permanent Trust Company Prize for Highest Mark in Equity
R. G. Ferguson — $200

The Prize in Family Law
R. D. Bucknall — Carswell Company Prize.

Summary and Comparative Analysis

	Spring 1966	*Spring 1967*
Honours	1	0
Pass Class I	23	27
Pass Class II	99	104
Aegrotat	2	3
Supplementals	36	31
Failed	6	6
	167	171

Received

VISITING LECTURER — LAVAL AND UNIVERSITY OF MONTREAL, PROFESSOR JEAN-GABRIEL CASTEL

Professor Jean-Gabriel Castel requests permission to teach Conflict of Laws at Laval and Montreal two days a week during November and December. It does not affect his teaching assignment at Osgoode Hall. *Approved*

PETITIONS

The Faculty have now granted petitions submitted by the following students and recommend they be granted aegrotat standing in the Pass Class II section:

Miss Zita Olga Bury
Pritam G. Singh
Paul D. Temelini

Approved

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The Secretary presented to the Treasurer and Benchers for Call to the Bar —

The Honourable Pierre Elliott Trudeau, Q.C.
Minister of Justice and Attorney General of Canada.

The Treasurer conferred upon him the degree of Barrister-at-law, and called him to the Bar of Ontario.

CONVOCATION THEN ADJOURNED, and the Treasurer and Benchers proceeded in a body to the New Court House where the Honourable Pierre Elliott Trudeau, Q.C. was presented to Chief Justice Gale and was sworn in as a Solicitor of the Supreme Court of Ontario.

The Honourable Mr. Trudeau briefly addressed the Court.

The Treasurer and Benchers entertained at luncheon the Honourable P. E. Trudeau, Q.C., Minister of Justice, the Honourable G. A. Gale, Chief Justice of the High Court, the Honourable Mr. Justice Aylesworth, the Honourable Mr. Justice Laskin, Professor G. E. LeDain, Q.C., Professor A. W. Mewett, Professor R. J. Gray, and R. J. Roberts, Esq., Q.C.

CONVOCATION RESUMED at 2:30 p.m. at the O'Keefe Centre, a quorum being present.

The Treasurer and Benchers and their guests, and the Acting Dean and members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded in academic procession to the stage of the auditorium.

CITATION

The Treasurer explained the circumstances under which arrangements had been made to confer an Honorary Degree on the late Dr. C. A. Wright, and paid a warm tribute to his memory on behalf of the Legal Profession and as one of his former students.

The Chairman of the Legal Education Committee then read the following citation honouring the late Cecil Augustus Wright:

Mr. Treasurer, I have the honour to present to you the following citation:

For eighteen years Cecil Augustus Wright was the Dean of the Law School of the University of Toronto. He began his teaching career 40 years ago as a lecturer and subsequently became Dean of the Osgoode Hall Law School. He has rightly been called the architect of legal education in Ontario. The fact that this Province enjoys a system of legal education second to none in the common law world is to a considerable extent attributable to his selfless dedication. As a teacher he had no peer and generations of law students first received from him a knowledge and understanding of law as an instrument of social justice.

Never once did he compromise his standards, nor was he dismayed if his was the only voice to criticize the inadequate or to advocate reform. He lived to witness the realization of his goals and many legal reforms stand as his monuments. For him, the finest tribute is that many who were his students and colleagues remain to pursue his ideals and practise his precepts.

In March of this year, he accepted your invitation, Mr. Treasurer, to receive the degree of Doctor of Laws, honoris causa, and it is a matter of deep regret that his death intervened. It is fitting that the name of Cecil Augustus Wright be recorded among those worthy of our highest honour.

The Treasurer then presented the citation to Mrs. C. A. Wright.

CONFERRING OF DEGREE OF MASTER OF LAWS

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidate who has complied with the requirements prescribed for graduate study at the Osgoode Hall Law School, the degree of Master of Laws:

Douglas Alan Cameron Harvey, B.A. Toronto; LL.B. Osgoode

CONFERRING OF DEGREES IN COURSE

The Chairman of the Legal Education Committee requested the Treasurer to confer upon the following candidates who have completed the course of study at the Osgoode Hall Law School and passed the prescribed examinations, the degree of Bachelor of Laws:

WITH HONOURS

Brian Paul Bellmore
Donald Harris Lapowich

Paul Arthur Alexander
Stephen Altwerger
Charles Egbert Archibald
Fred Arnold Arthur Baker
Ihor Walter Bardyn
Thomas Stewart Barton
Paul Raymond Beaudet
Alan Berk
Hersh Eric Bogomolny
Robert Paul Boissonneault
Thomas Anthony Bordonaro
Brian John Eric Brock
Constance Marlene Brown
William Brown
Zita Olga Bury
Lee Arthur Cairns
Archie Gray Campbell
Michael Henry Caney
Robert John Cannings
Gregory Richard Carpenter
Leon Bernard Carter
Buka Zbigniew Chesney
Gordon Joseph Ciglen
Andrew Blake Cochran
George Charles Conn
Colin Campbell Coolican
John Corvese
John William Craig
Stephen Thomas Alan Creet
John Milton Dean
Guildford William Deverell
Melvin Nathan Diamond
Terence Manley Dolan
Edward James Drimmel
James Howard Freeman Dunham
Robert Blake Easterbrook
George Dickson Elliott
Robert Lorce Falby
Harvey Finkelstein
Joseph Yochanan Fisch
Sheldon Marshal Fischman
Patricia Frances Foran
Robert Brian Foster
Harvey Cecil Frankel
Donald Edwards Franks
Elaine Freedman
Allan Friedland
Ronald Jerry Fromstein
Claude Gingras
Gary Stephen Goad
Charles Allan Godfrey
Bernard Joseph Goodal
James Panton Gordon
Marshall Wayne Gottlieb
Brock Grant
William Donald Gray
Barry Groll
Ronald Groll
James Justin Grosberg
Lawrence Sheldon Grossman
Douglas Crosby Hager
Richard Allen Ronald Hawrish
Casimir Nauert Herod
Derek Thirsk Hogg
Jack Kemp Horsley
Robert Douglas Allan Houghton
Emma Teresa Howell
Montgomery Thomas Hyde
George Robertson Ingram
Keith John Frederick Jobbitt
Eric Mackenzie Kelday
William Stirling Kenny
Minoo Khoorshed
Irving Kumer
Alphonse Anthony Lanza
John Jerome Lawlor
Douglas Grinslade Lewis

THE PROPERTY OF
THE LAW SOCIETY

Alan David Libman
Thomas James Lockwood
Robert Samuel Lucenti
Karen Merle Magnuson
Thomas Elias Maki
Roman Andrew Maksymiw
William Howard Manderson
Stephen Michael Marmash
Walter Joseph Massey
Robert David Armstrong Massie
Beryl Marilyn Mercer
Louis Harry Milrod
Richard John Mitchell
Jo Ann Miyagawa
Franklin Walter Montgomery
Derek John Mullan
Edward Thomas McDermott
Alan Garth Francis MacDonald
John Farquhar MacDonald
Mary Virginia MacLean
David Herbert Newman
James Leslie Newman
Obadiah Thiong'o Ngwiri
Mohad Ali Noor
Brian Borthwick Norton
Angus Winn Oughtred
Hugh Stewart Douglas Paisley
Allan Stephen Papernick
Michael Pelensky
Gordon Charles Pelletier
Shirley Margaret Perdue
Leonard Philip Petrillo
Frank Joseph Provenzano
Harry Persaud Ramkelawan
Arthur Ernest Resnick
Neville Byron Wesley Rich
Marvin Jacob Roebuck
Frank Sandy Sarlo
Nigel Schilling
Alfred Solomon Schorr
Seymour Wilfred Schwartz
Erdman Siemens
Martin Sigal
MacGregor David Sinclair
Robert Alexander Sinclair
Pritam Ganga Singh
Michael Richard Smith
James Gordon Snelgrove
Philip Jerome Eadington Spencer
Andrew Stabins
Hugh George Stark
Janet Elizabeth Stewart
Maurice Raymond St. Louis
John Anthony Stockwell
Douglas Earl Stokes
Frank H. M. Stolwyk
Ronald Johnston Swain
Charles Duncan Swayze
Norman Swedko
William George John Swybrous
Paul Davis Temelini
Dino Joseph Tessaro
William David Turville
George Blake Wallace
Peter Cardon Wallis
Tracy Charles Warne
S. L. Wassenaar
Charles Gaylord Watkins
Frank William White
Peter Joseph Wiley
William John Wilkins
Terry Lawrence Winchie

In absentia

Daniel John Deacon
Douglas Murray McDonald
Ian Guy Thorne
Noel Warren Turk

The Treasurer presented the following scholarships and prizes won by the members of the graduating class:

Silver Medal — B. P. Bellmore, D. H. Lapowich

The Chancellor Van Koughnet Scholarship —
B. P. Bellmore
The Christopher Robinson Memorial Scholarship —
D. H. Lapowich
The Matthew Wilson Memorial Scholarship —
E. T. McDermott
The Clara Brett Martin Memorial Scholarship —
E. T. McDermott
The Prize in Conflict of Laws — Janet E. Stewart
The Prize in Creditor's Rights — D. H. Lapowich
The Prize in Admiralty Law — Erdman Siemens
The Prize in Labour Relations Law — B. P. Bellmore
The Insurance Company of North America Prize in Insurance Law — H. C. Mills Memorial Award —
D. H. Lapowich
The Prize in Income Tax — I. G. Thorne
The Northern Ontario Prize — T. E. Maki
The Butterworth Prize — B. P. Bellmore
The Prize in Public International Law — W. S. Kenny
The Reading Law Club Prize in Jurisprudence —
C. G. Watkins
The Thomas Cowper Robinette Memorial Prize —
A. G. Campbell

The Treasurer congratulated the graduating class on behalf of the Osgoode Hall Law School and the Law Society of Upper Canada, and introduced to them and their families and friends, the Honourable P. E. Trudeau, Q.C., Minister of Justice and Attorney General of Canada, who addressed Convocation.

CONVOCATION THEN ROSE

Following the meeting of Convocation, the Treasurer and Benchers entertained the graduates, their families and friends at a reception in the main lounge, on the lower ground floor, of the O'Keefe Centre.

"Brendan O'Brien"
Treasurer

MEETING OF SPECIAL CONVOCATION

Thursday, 24th August 1967

PRESENT:

The Treasurer and Messrs. Beament, Bowlby, Callon, Cass, Gray, W. E. Harris, Henderson, Howland, G. A. Martin, MacKinnon, Roberts, Robins, Slemin, Strauss and Thom.

BENCHER

The Treasurer noted with regret the death of Mr. Wilfrid S. Martin, Q. C., a Bencher of the Society since his election in April 1961, and paid a warm tribute to his memory.

LEGAL AID PROGRAMME COMMITTEE

Mr. Callon, Chairman, presented Reports of the Legal Aid Programme Committee dated the 20th July, 1967 and the 23rd August 1967:

Your Committee met on the 20th day of July, 1967, the following members being present: Mr. Thomas Callon, Chairman, and Messrs. Beament, Callon, Common, Houser, Reid, Sale and Waugh.

Mr. F. Joseph Cornish, Q.C., Area Director for York County and Mr. L. H. Ritchie, Consultant, Woods Gordon & Co., were present by invitation.

YORK COUNTY LEGAL AID OFFICE

Your Committee reviewed the recommendations made in a report submitted by Woods Gordon & Co. on the organization of the York County office.

Mr. F. Joseph Cornish, Q.C., Area Director for York County, attended before the Committee and questioned the recommendation in the report that the initial interviewing of applicants be done by nonprofessional personnel.

The Committee was of the opinion that an applicant is entitled to seek the advice of a lawyer on his first visit to the legal aid office and therefore recommended that the York County Area Director be authorized to hire two full-time lawyers to act as Duty Counsel for initial interviews. This would make a total number of four interviewing Legal Officers in York County.

MINUTES OF UNDERSTANDING

At its meeting on March 23rd, 1967 the Committee reviewed the Minutes of Understanding which the Province of Ontario submitted to the Law Society of Upper Canada with respect to administrative procedures to be followed under the new Ontario Legal Aid Plan.

The Committee recommended that the Chairman attend at the Attorney General's Department for clarification of basic principles arising from the proposed Minutes of Understanding.

The Minutes of Understanding have now been approved by the Committee and your Committee recommends that they be adopted by Convocation.

REPORT ON DATA PROCESSING

In April of this year, the Committee appointed Mr. Robert F. Reid, Q.C., a subcommittee of one to make recommendations to the Committee with respect to the use of a computer service bureau to process statistical information for the new Legal Aid Plan.

In March, a subcommittee consisting of Mr. Robert F. Reid, Chairman and Messrs. Borczak, Common and Keith, was appointed to establish what statistics were to be collected for the new Legal Aid Plan.

At its June meeting, the Committee instructed Mr. D. J. McCourt, C.A., Controller of the Legal Aid Fund and Mr. Irving Nyman, Senior Consultant, Woods Gordon and Co., to assist Mr. Reid in calling for tenders for a data processing contract and in reviewing the tenders received and to recommend, for the approval of the Committee, the most acceptable tender received.

The Committee realizes that the use of a computer service bureau is desirable to handle the volume of accounting and statistical information involved in administering the Plan.

The volume is too great for clerical staff to handle economically. However, the volume is not yet great enough to warrant the Plan owning a computer.

A computer service bureau would provide the following services:

1. initial development.
2. routine processing.

The first service, initial development, involves the bureau's technical staff developing instructions for the computer on how to handle the Ontario Legal Aid work. The initial stage will take 3 to 4 months.

The second service, routine processing, involves the feeding of data into the computer, computer processing, and the production of reports, cheques, client's statements, etc.

Primarily, the computer will process the records of lawyer's accounts and contributions to be received from assisted persons.

The computer will perform the following services:

I. *Lawyer's accounts*

Semi-monthly — a. Tabulates amounts to be paid to solicitors and duty counsel and issues cheques in payment of accounts.

b. provides a cheque register.

Monthly — a. provides a bank reconciliation.

Quarterly — a. provides reports on payments to lawyers for each of the 46 Legal Aid areas including the following:

- i. a summary of the number of cases, fees and disbursements for each type of aid and for each court or tribunal.
- ii. summary of payments to all individual lawyers.
- iii. details of payments to lawyers who are very active in providing legal aid.

II. *Contributions receivable from assisted persons*

Semi-monthly — a. issues refund cheques to assisted persons (where more than the actual cost of legal aid is received from contributions or judgments).

b. provides a register of refund cheques.

c. provides a report of monies receivable under judgments or orders and of costs claimed under Part VI of the Regulation.

Monthly — a. produces the contributions receivable ledger.

b. produces statements of account.
c. produces statements of overdue accounts.
d. produces notices of contributions due.
e. produces reports on delinquent accounts.

Quarterly — a. produces report on long outstanding certificates.
b. projects contributions due in the future from assisted persons (for estimating purposes).

The subcommittee reviewed four tenders submitted by data processing companies.

The subcommittee recommended, and the Committee accepted the recommendation, that IBM be awarded the contract.

The Letter of Intent authorized IBM to commence the work contemplated by the proposed agreement forthwith, and undertook to recompense IBM for any work done on the basis of the standard IBM method rates should the proposed agreement not be signed and completed by both parties.

Your Committee, therefore, recommends that Convocation approve that IBM provide data processing services to the Ontario Legal Aid Plan of the Law Society and that Convocation also approve the Committee's recommendation that J. H. C. Clarry, Q.C., be appointed counsel to settle the form of the contract for execution by the Treasurer and the Secretary of the Law Society.

COMMITTEE APPOINTMENT

On July 17th, 1967, Mr. Robert F. Reid, Q.C., met with the President of the Ontario Law Students Association, Mr. James J. Walsh. Mr. Walsh then met with Professor Peck of Osgoode Hall Law School, Mr. Ron Mossman, the Osgoode Hall Vice-President of the Ontario Law Students Association and Mr. Crawford M. MacIntyre, Chairman of the Osgoode Hall Legal Aid Committee, to prepare a brief setting out the law student's immediate hopes and future desires under the Plan.

Mr. Reid reported to the Committee on his meeting with Mr. Walsh and recommended that Mr. Lyle S. Fairbairn, Solicitor, be appointed a member of the Legal Aid Programme Committee, with the special responsibility of integrating the work of student Legal Aid Societies with the Ontario Legal Aid Plan.

Mr. Fairbairn is a past Chairman of the Legal Aid Society at Osgoode Hall and submitted a report to the Joint Committee on Legal Aid in 1963 and has had published several articles setting out the role of a law student in a legal aid plan.

Your Committee recommends that Mr. Lyle S. Fairbairn be appointed a member of the Legal Aid Programme Committee, by virtue of his special interest in the work of the student Legal Aid Societies.

AREA COMMITTEES

Section 4(1) of The Legal Aid Act, 1966 provides that the Law Society may appoint a Legal Aid Committee for an area. Your Committee recommends that the following be appointed members of the Legal Aid Area Committee for the following areas:

1. *Halton County*

   D. A. Carnie, Solicitor, Burlington
   (Mr. Carnie will replace Mr. L. D. Dingle, Q.C., deceased)
2. *Welland County*

   Joseph L. Rosberg, Vice-President of Rosberg Company Holdings, Niagara Falls
3. *County of Wellington*

   Kenneth Rae, Solicitor, Guelph
   Miss Joan Heath, Solicitor, Guelph
   Jeremiah W. Matthews, Solicitor, Guelph
4. *County of Simcoe*

   Henry Dyce Howitt, Exectuive, Barrie.
   Barstow H. Miller, Imperial Oil Company, Barrie.

Your Committee met on Wednesday, the 23rd day of August, 1967, the following members being present: Mr. Thomas Callon, Chairman, and Messrs. Beament, Caldbick, Martin, Reid, Waugh and Sale.

DEPUTY AREA DIRECTOR, YORK COUNTY

The Director recommends the appointment of Mr. William R. Donkin, Solicitor, as the Deputy Area Director for the County of York; his duties to commence early in September, 1967.

APPOINTMENT OF A SUBCOMMITTEE TO DEAL WITH AMENDMENTS TO THE ACT AND THE REGULATION

Your Committee has appointed a subcommittee consisting of Mr. G. E. Beament, Q.C., Chairman, and Messrs. Martin, Sale and Lawson. The subcommittee's terms of reference are: to deal with the proposed amendments and to seek out suggested amendments to the Act and Regulation.

COMPLAINTS (PART VII OF THE REGULATION)

Mr. Kenneth Jarvis, Secretary of the Law Society, wrote to Mr. G. Arthur Martin, Q.C., with respect to the way in which complaints arising out of Legal Aid should be handled.

Mr. Martin discussed this matter with Mr. Henry Bull, Q.C., a member of the Discipline Committee, and wrote to the Director, enclosing a copy of his letter to Mr. Jarvis, wherein he outlines his views with respect to complaints relating to Legal Aid. The following is an excerpt from Mr. Martin's letter:

> "My view is that all complaints relating to Legal Aid when received should be referred to the Director. The Director will then conduct or cause to be conducted an investigation; consulting the Legal Aid Programme Committee or a member thereof if he considers it necessary. I think it is preferable to have the initial investigation conducted by the Director because he will have more ready access to sources of information in matters relating to Legal Aid because of his position in relation to the Legal Aid Plan. After the Director has completed his investigation he will make a report. Included in his report will be an opinion as to whether there has or has not been professional misconduct on the part of any member of the profession. He will then send the report to you for the consideration of the Discipline Committee. Such a procedure would be in conformity with Sections 117, 118, 119 and 120 of the Legal Aid Regulation relating to complaints. It would also have the advantage of dealing with all complaints arising out of Legal Aid on a uniform basis; otherwise there might be contemporaneous investigations being conducted with respect to the same matter by yourself, the Director and the Area Director concerned and different conclusions reached.
>
> The Discipline Committee on receipt of the Director's report will make the ultimate decision as to whether professional misconduct has taken place and whether a charge should be laid. The Discipline Committee will, of course, be free to make any further investigation it deems advisable for its own purpose or to request additional information".

A copy of Mr. Martin's correspondence was forwarded by the Director to Mr. W. Gibson Gray, Q.C., Chairman of the Discipline Committee. Mr. Gray replied that he considered the procedure highly appropriate.

Your Committee recommends the adoption of this procedure.

YORK COUNTY AREA COMMITTEE

Your Committee recommends, after consultation with the York County Area Director, that Mr. Timothy S. Mills, Q.C., and Mr. W. Glen How, Q.C., be appointed members of the York County Area Committee.

THE REPORTS WERE ADOPTED.

CONVOCATION THEN ROSE.

"Brendan O'Brien"
Treasurer

MEETING OF CONVOCATION

22nd September 1967

PRESENT:

The Treasurer, and Messrs. Beament, Bowlby, Bull, Callon, Cass, Cassels, Chappell, Chitty, Clement, Common, Creighton, Dubin, Evans, Fennell, Gray, H. E. Harris, W. E. Harris, Henderson, Howland, Levinter, Maloney, MacKinnon, Pattillo, Raney, Roberts, Roebuck, Seymour, Slemin, Steele, Strauss, Thom and P. D. Wilson.

BENCHERS

The Treasurer and Benchers congratulated Mr. W. P. Clement on having recently observed his 80th birthday.

The Treasurer congratulated Mr. T. K. Creighton on becoming a Life Bencher on the 18th September 1967.

ELECTION OF BENCHERS

Mr. Phillip Barry Chaytor Pepper, Q.C., of Toronto, was elected a Bencher to fill the vacancy caused by the death of the late W. S. Martin.

Mr. Pepper was appointed to the following Standing Committees: Finance; Discipline; and Public Relations.

Mr. John Gerald Joseph O'Driscoll of Toronto, was elected a Bencher to fill the vacancy resulting from Mr. T. K. Creighton becoming a Life Bencher.

ADMISSIONS COMMITTEE—Mr. Howland

Your Committee met on the 13th day of July, 1967, the following members being present: Mr. Terence Sheard, Chairman, and Messrs. MacKinnon and Pattillo.

This special meeting was called to reconsider the position of Sudarshan Kumar Jain.

Your Committee recommends that he be allowed to complete his articling period and enter the teaching period of the Bar Admission Course for 1967.

"W. G. C. Howland"
Vice-Chairman.

Your Committee met on the 14th day of September, 1967, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. MacKinnon, Pattillo, Robins and R. F. Wilson.

ADMISSION OF STUDENTS-AT-LAW

Bar Admission Course

The following candidates have complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of September 1, 1967 (a list containing the names of 401 candidates follows.)

CALL TO THE BAR

Bar Admission Course

Having successfully completed the Bar Admission Course, filed the necessary documents and paid the required fee, Donald John Moore Brown, now applies for Call to the Bar and to be granted a Certificate of Fitness. *Approved*

Transfer from Another Province

Having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee, Allan Henry Fitch, now applies for Call to the Bar and to be granted a Certificate of Fitness. *Approved*

Special

Having filed the necessary papers and complied with the requirements of the Admissions Committee in his particular case, Cecil Gordon Bale, now applies for Call to the Bar and to be granted a Certificate of Fitness. *Approved*

FULL-TIME MEMBERS OF THE FACULTY OF APPROVED LAW SCHOOLS

Call to the Bar

Associate Professor G. J. Brandt, a member of the Faculty of Law, The University of Western Ontario, asks to be called to the Bar and admitted as a solicitor without examination under the statement of policy respecting full-time members of approved Law Faculties in Ontario approved by Convention the 19th of February, 1960, upon payment of the required fee.

Approved

DIRECT TRANSFERS

Mrs. Patricia Sample was called and admitted in Alberta in June, 1962. She practised for a few weeks in Alberta before going to Paris to pursue post-graduate studies in International Law. She returned to Canada in September, 1963.

Your Committee recommends that she be informed she may enter the Bar Admission Course and be called and admitted upon successfully completing it.

Miss M. Elizabeth Burnham was called to the Bar in New Brunswick in 1963 and has been in active practice there ever since. She applies to proceed under Regulation 2. *Approved*

Ajit Kapoor was called to the Bar in Saskatchewan in 1964 and has been in active practice there ever since. He applies to proceed under Regulation 2. *Approved*

P. MICHAEL PITFIELD

P. Michael Pitfield (B.A. St. Lawrence University, 1955; B.C.L. McGill 1958).

He now seeks to enter the Bar Admission Course in September 1967. *Approved*

UNITED KINGDOM SOLICITORS

David Szeto has undertaken to produce a current practising certificate as an English solicitor and has applied to proceed under Regulation 8.

APPROVED subject to producing the practising certificate.

Miss Jean C. Sharples has undertaken to produce a current practising certificate as an English solicitor and has applied to proceed under Regulation 8.

APPROVED, subject to producing the practising certificate.

Denys Meade Laurence holds a current practising certificate as a solicitor in the United Kingdom and seeks to proceed under Regulation 8. *Approved*

Anthony Robert Norfolk has produced a current practising certificate as an English solicitor and asks to be allowed to proceed under Regulation 8. *Approved*

Deniz Edmundo D'Almanda Remedios applies to proceed under Regulation 8 and submits a letter addressed to the Society by the English Law Society to the effect that Mr. Remedios is entitled to a practising certificate as a United Kingdom solicitor upon paying a fee of £11. *Approved*

AUSTRALIA TRANSFER

Elijah Carter (diploma in Commerce Adelaide University, South Australia 1951; LL.B. Adelaide University 1956) served four years under articles in the firm of Messrs. Pickering, Cornish & Abbott in Adelaide 1953-56. He was admitted to practice in South Australia at the end of 1956. He asks to be allowed to proceed under Regulation 10. *Approved*

COMMONWEALTH TRANSFER

Rewachand Arjandas Sainaney (LL.B. University of Bombay 1948; B.A. University of Bombay 1950; B.Com. University of Bombay 1958) became an advocate in the High Court of Bombay in November, 1951, where he practised until coming to Canada in October, 1966. He has been allowed to enter the Bar Admission Course and file articles of clerkship conditional upon his application to proceed being approved. *Approved*

Spencer H. L. Hung (Internal LL.B. degree University of London 1958) was admitted as a United Kingdom solicitor in 1961, and as a solicitor of the Supreme Court of Hong Kong in 1962 where he has remained in active practice ever since. He applies to proceed under Regulation 11. *Approved*

Yousuf Rafi (B.A. University of Lucknow, 1945; LL.B. University of Karachi, Pakistan 1955) enrolled as a pleader in the High Court of West Pakistan, Karachi Bench, in 1956. He was admitted as an advocate in that Court in 1958 and was enrolled as an attorney in the Supreme Court of Pakistan in the same year. He has remained in active practice in Karachi to the present and applies to proceed under Regulation 11. *Approved*

Darabshaw Meherjibhai Baria (LL.B. University of Bombay 1947) passed the examination of the Bar Council of the High Court of Judicature in Bombay 1948; enrolled as an advocate of the High Court of Judicature in Bombay 1949; served as legal clerk and interpreter of the High Court of Tanganyika at Dar es Salaam 1950-1952; admitted as an advocate of the High Court of Tanganyika 1952 and was in continuous active practice there until February, 1967. He applied on 20th July, 1967, to proceed under Regulation 11. *Approved*

PETITIONS

Maurice John Coombs petitions to be allowed to enter the Bar Admission Course and that his employment as Research

Assistant to the Ontario Law Reform Commission during the past year be accepted as fulfilling the requirement of service under articles as part of the Bar Admission Course or, alternatively, that he be allowed to serve under articles in the coming year by remaining in his present position.

Your Committee recommends that he be informed that the work he has done cannot satisfy the articling requirement and that he must file articles in the usual way.

Donald Grant Gibson obtained an approved LL.B. degree from the Faculty of Law, University of Toronto in 1967. He has been accepted as a full-time student in the LL.M. Course at the University of London commencing in October 1967, and asks that consideration of his acceptance into the Bar Admission Course be delayed for a period of one year. *Approved*

REPORT OF THE EXAMINING BOARD

Examinations held in September, 1967, Robert F. Dykes and Sam Norman Filer have passed. *Approved*

MR. JUSTICE MAURICE ALEXANDER CHARLES

Mr. Justice Charles first applied to the Admissions Committee in June, 1967, and was approved for entrance into the Bar Admission Course but did not proceed then. He re-applies now to enter the present Bar Admission Course. During the interval he has been on the Bench of the High Court of Ghana and is now the Senior High Court Judge.

Your Committee recommends that he be informed he may enter the Bar Admission Course forthwith.

THE REPORTS WERE ADOPTED.

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Donald John Moore Brown
Cecil Gordon Bale
Allan Henry Fitch

FINANCE COMMITTEE

Mr. Henderson presented the Report of the Finance Committee:

Your Committee met on the 14th September, 1967, the following members being present: Mr. R. F. Wilson, Chairman, and Messrs. Fennell, W. E. Harris, Henderson, Howland and Levinter.

Accounts

The Secretary reports that from the 1st July 1967 to the 31st August 1967 accounts, including Library Accounts, properly approved, to the amount of $90,409.58 have been paid.

The Secretary also reports that from the 1st July 1967 to the 31st August 1967 Legal Aid accounts to the amount of $143.55 have been paid. *Approved*

Financial Statement, 1st July 1967 to 31 August 1967

The Secretary lays before the Committee a statement of receipts and disbursements for the period 1st July 1967 to the 31st August 1967. *Approved*

Rolls and Records

The Secretary reports:

(1) *Appointment to the Bench*

Walter M. Martin, Q.C., Toronto, has been honoured in his appointment to judicial office, and his name has been removed from the rolls and records of the Society. Appointed Judge, County Court, County of York, 16th August 1967.

(2) *Deaths*

That the following former members of the Law Society have died:

Edwin Whyte Clement, Q.C., Kitchener — (Honorary Life Member)	Called—20 September 1901 Deceased—17 May 1967.
Charles Barker, Toronto	Called—24 November 1927 Deceased—24 May 1967.
Margaret L. Dufresne, Galt	Called—16 September 1948 Deceased—5 June 1967.
Douglas I. Grant, Q.C., Oakville	Called 16 September 1926 Deceased—8 June 1967.
William J. Beaton, Q.C., Toronto	Called—15 March 1917 Deceased—16 June 1967.

Ernest Macaulay Dillon, Q.C., Toronto (Honorary Life Member)	Called—6 February 1914 Deceased—20 June 1967.
Hon. Guy Favreau, P.C., Q.C.	Called—10 April 1964 (Ont.) Deceased—11 July 1967.
Ralph C. Bone, Q.C., Guelph	Called—17 June 1926 Deceased—25 June 1967.
Cecil Simpson, Q.C., Galt	Called—18 November 1920 Deceased—1 July 1967.
Herbert Orliffe, Q.C., Toronto	Called—21 November 1929 Deceased—3 July 1967.
Charles H. Kemp, Q.C., Toronto	Called—19 September 1929 Deceased—5 July 1967.
Lloyd D. Dingle, Q.C., Burlington	Called—22 November 1923 Deceased—12 July 1967.
Harrison Arrell, Q.C., Caledonia (Honorary Life Member)	Called—22 November 1898 Deceased—18 July 1967.
William L. Wallace, Q.C., Toronto	Called—19 June 1924 Deceased—20 July 1967.
Wilfrid S. Martin, Q.C., Niagara Falls	Called—17 October 1929 Deceased—6 August 1967.
Stuart A. Shoemaker, Q.C., Toronto	Called—16 September 1926 Deceased—9 August 1967.
William F. Garvey, Q.C., Toronto	Called—18 September 1941 Deceased—18 August 1967.
Michael L. Doyle, Q.C., Toronto	Called—21 September 1933 Deceased—5 September 1967.
Elva A. Dunn, Toronto	Called—20 January 1927 Deceased—8 September 1967.

Noted

RESIGNATIONS

David Kilpatrick Findlay, Ottawa — At its meeting on May 11, 1967 this Committee recommended, and Convocation subsequently adopted the recommendation, that Mr. Findlay be allowed to resign his membership in the Society upon filing a suitable declaration respecting his trust position and the termination of his practice.

A suitable declaration was received on the 22nd June 1967, and accordingly Mr. Findlay's name has been removed from the rolls and records of the Society. *Noted*

Edna Mary Dawson — was Called to the Bar on the 21st June 1928. She asks to be permitted to resign her membership in the Society.

Your Committee recommends that she be allowed to resign upon filing a suitable declaration respecting trust funds and practice.

REINSTATEMENTS

Richard Henry Penty — a Solicitor of the Supreme Court of England, was sworn in as a Solicitor in Ontario on the 15th June 1950, and Called to the Bar on the 15th September 1955. He has not taken out his Practising Certificate since December 1, 1957. On the 13th January 1960 he was transferred to "Past Records" at his own request. In 1961 he obtained employment with the legal department of the Department of National Revenue, later transferred to the Department of Public Works, and later still to the Department of Justice.

He now asks what he must do to be restored to active membership.

Your Committee recommends that he be reinstated upon filing the necessary papers and paying all arrears of fees.

Abraham Hirsh Friedgut — Called to the Bar in Saskatchewan on the 2nd October 1923, and transferred to the Ontario Bar on the 21st June 1945. In 1949 he went to Israel where he has since resided. At its meeting on the 17th January 1950 the Finance Committee approved the transfer of his records to "Past Records". He has now returned to Canada and seeks to resume active membership in the Society.

Your Committee recommends that he be reinstated upon filing the necessary documents and paying all arrears of fees.

ARREARS OF ANNUAL FEES

re Francis Mark Kelly

Your Committee recommends that Francis Mark Kelly be suspended from practice for one year for non-payment of fees, and from year to year thereafter until his arrears of fees are paid.

HONORARY LIFE MEMBERSHIP

At its meeting on the 13th April 1967 the Finance Committee recommended to Convocation that Rule 32 be amended to read as follows:

"32. (b) Where membership in the Society was interrupted or a member's call to the bar or admission as a solicitor was delayed by war service the time spent in such service may be included for

> the purpose of determining eligibility for life membership."

Convocation adopted the recommendation on the 21st April 1967.

The following are those who are affected by this change and who, by virtue of the amended Rule are eligible to become Honorary Life Members of the Society:

	Name and Address	*Common Roll*	*Grad. or Matric.*	*Normal Date of Call*	*Called*
1.	Aylesworth, McGillivray 45 McNaughton Ave., Ottawa, Ont.	1912	Grad.	1915	19 June 1919
2.	Berkinshaw, Richard Coulton, Q.C. 901 Yonge St., Ste. 201, Toronto	1913	Grad.	1916	11 Sept. 1919
3.	Bishop, John Leigh, Q.C. c/o Howard, Cate, Ogilvy, Bishop, Place Ville Marie Montreal, P.Q.	1913	Grad.	1916	20 Nov. 1919
4.	Black, Ernest Garside, Q.C. 69 Yonge St., Toronto	1913	Grad.	1916	22 May 1919
5.	Brown, Stuart Hall, Q.C. 1 St. Thomas St., Toronto	1912	Grad.	1915	22 May 1919
6.	Dales, John Frank 557 Danforth Ave., Toronto	1913	Grad.	1916	25 May 1917
7.	Forsyth, Robert, Q.C. (retired C.C. Judge)	1913	Grad.	1916	20 May 1920
8.	Hearst, Howard Vernon, Q.C., 198 Lawrence Ave. E., Toronto	1913	Grad.	1916	8 Feb. 1917
9.	Henderson, Roy 12 Richmond St. E., Toronto	1911	Matric.	1916	22 May 1919
10.	Huycke, Wilfrid Field, Q.C., 395 Water St., Peterborough	1913	Grad.	1916	19 June 1919
11.	McLaughlin, Hugh Johnston, Q.C. 200 University Ave., Toronto	1913	Grad.	1916	17 Jan. 1919

12. Parkinson, Harry Simcoe, Q.C., 372 Bay St., Toronto	1911	Matric.	1916	20 Mch. 1919
13. Phippen, Jack Hubert 4851 Belmont Ave., Vancouver	1910	Matric.	1915	20 June 1918
14. Slemin, John Austin Dufferin, Q.C. 89 Nelson St., Brantford	1913	Grad.	1916	19 June 1919
15. Wright, William Mackay, Q.C. 410 Canada Bldg., Windsor	1913	Grad.	1916	11 Sept. 1919

Approved

STAFF CHANGES

Law School Teaching Staff

Professor Walter Surma Tarnopolsky has been engaged as Associate Professor for the academic year 1967-68, replacing Professor Paul Lamek who resigned 1st July 1967.

Approved, subject to the approval of York University.

Messrs. *George M. Dyson, John Warwick Gendall* and *John F. Bleechmore* have been engaged as Teaching Fellows for a term of one year effective July 1st, 1967, replacing Messrs. G. S. Sharat Chandra, Richard Kidner and Rex Tedd.

Approved, subject to the approval of the Legal Education Committee.

Professor Robert A. Samek has been appointed as a visiting professor for one term from 1st July 1967 to 31st December 1967.

Professor Allen M. Linden has returned to the staff full time after a one year leave of absence, as of July 1, 1967.

Professor Ivan R. Feltham has also returned to the staff effective July 1st, 1967.

Approved subject to the approval of York University as to Professors Linden and Feltham.

It was moved, seconded and carried that the Report be amended to include Robert Michael Willes Chitty, Q.C., among those who become Honorary Life Members by virtue of Rule 32(2).

THE REPORT AS AMENDED WAS ADOPTED.

ARREARS OF ANNUAL FEES—*Motion to Suspend*

Moved by Mr. Henderson, seconded by Mr. Levinter, that the following barrister and solicitor be suspended from practice for a period of one year from this date, and from year to year thereafter until his arrears of fees paid:

Francis Mark Kelly, Toronto.

Carried

DISCIPLINE COMMITTEE—Mr. Gray

IN THE MATTER OF THE LAW SOCIETY ACT AND IN THE MATTER OF A BARRISTER AND SOLICITOR

In July 1966 the solicitor was visited by the Society's auditors and their unscheduled examination of his books and records showed that he had not maintained during that year a record of a monthly comparison between his trust liabilities to clients and funds on deposit in trust. The solicitor was required to have a Chartered Accountant file a certificate with the Society that his books and records complied with the Society's Rules Respecting Accounts. The solicitor failed to have such a certificate filed with the Society. Accordingly, Messrs. Clarkson, Gordon & Co. were instructed to make an investigation. Based on their Report, Notice of Complaint was served upon the solicitor, returnable before your Committee the 20th day of July 1967. It contained the following specific complaints:

> "TAKE NOTICE that it is alleged that you have been guilty of professional misconduct and conduct unbecoming a Barrister and Solicitor in that you:
>
> 1. contrary to Rule 1 of the Rules Respecting Accounts, failed to forthwith deposit into a trust bank account sums totalling approximately $3,000.00 during the period January 1, 1966 to May 8, 1967;
> 2. contrary to Rule 3 of the Rules Respecting Accounts, during the period January 1, 1966 to May 8, 1967, have drawn the sum of approximately $6,600.00 from your trust bank account, the aforementioned sum being not properly required for payment to or on behalf of clients or in respect of liabilities of clients to you;
> 3. contrary to Rule 6 of the Rules Respecting Accounts, during the period January 1, 1966 to May 8, 1967, have

> failed to maintain at all times and particularly in the month of May 1967 sufficient money on deposit in your trust bank account to satisfy your indebtedness to clients for trust funds."

Your Committee met at the appointed time, the following members being present: Mr. Isadore Levinter, Chairman, and Messrs. Goodman, Seymour and Slemin. The solicitor attended without counsel, and indicated that he did not intend to retain one.

The solicitor acknowledged receiving the Notice of Complaint and the report of Messrs. Clarkson, Gordon & Co. and stated that he had no dispute with either.

Your Committee concluded on all the evidence that the shortages and the difficulties the solicitor experienced were the result of his being misled by his secretary, in whom he had implicit confidence, and latterly his accountant, who did not supply accurate reports and there was no deliberate attempt on the part of the solicitor to deplete his trust account and that throughout he acted in good faith.

Your Committee finds all of the specific complaints to be established and recommends under the circumstances:

1. That the solicitor be reprimanded in Convocation and that the fact that he has been reprimanded be published in the *Ontario Reports* in the Minutes of Convocation;

2. That he be required within the first fifteen days of each month hereafter and until further notice to supply a bank reconciliation of his trust account;

3. That each cheque written on his trust account be countersigned by his accountant or his accountant's representative:

4. That he be required to pay the costs of the Society's investigation within one year from this date; and

5. That he undertake that no monies will be withdrawn from his trust account for other than trust purposes until it has been earned and unless the withdrawal has his specific approval.

Dated this 14th day of September 1967.

"I. Levinter"
Chairman

The solicitor attended without counsel and made certain representations and gave his undertaking to comply with the requirements proposed in the Report.

Moved by Mr. Bowlby, seconded by Mr. Cass, that publication of the matter be made without including the name of the solicitor. *Carried*

Moved by Mr. Levinter, seconded by Mr. Dubin, that the recommendation in the Report respecting costs be changed to read:

> "4. That he be required to pay the costs of the Society's investigation within three years in six equal semi-annual payments."

THE REPORT AS AMENDED WAS ADOPTED.

The solicitor returned and was informed of the amendments. The Treasurer administered a reprimand.

Re: Compensation Fund — Financial Summary

January 1st 1967 to June 30th 1967

Balance on hand December 31st, 1966		784,597.43
Receipts		
Fees	25,685.00	
Recoveries	5,197.16	
Investment Income	10,829.78	
Bank Interest	1,743.27	
Increase in market value of securities	212.50	43,667.71
		828,265.14
Disbursements		
Grants	102,237.28	
Reporters, transcript, counsel fees, &c.	22,737.92	
Refunds	395.00	125,370.20
Balance in Fund June 30th, 1967		702,894.94

Details

During the period 1st January to 30th June 1967 the Discipline Committee considered applications for grants from the Compensation Fund in respect of R. C. Brown, Robert Castor, J. R. Denny, L. A. Fitzpatrick, R. F. X. Marentette, B. Ogrysek and E. H. Slater. The Report of the Referee, Mr. Peter Wright, Q.C., concerning the J. M. Drysdale hearings was accepted and a pro rata distribution made to bring the total grants within the $50,000 limit. In each case where a grant was made your Committee was satisfied that a solicitor and client relationship existed and that the loss resulted from misappropriation by the solicitor. The applications were disposed of as follows:

APPLICATIONS PAID—1st January 1967 to 30th June 1967

re: *Robert Castor* (disbarred September 24th 1964)	
Seven clients	53,218.16
Re: *J. M. Drysdale* (disbarred September 28th 1965)	
Thirty-three clients	48,849.12
Re: *D. R. Featherstone* (died May 6th 1963)	
One client	170.00
TOTAL GRANTS January 1st 1967 to June 30th 1967	102,237.28

RECOVERIES

re Robert Castor	565.09
re E. H. Slater	3,923.55
re J. M. Drysdale	208.52
re Michael Godo	500.00
	5,197.16

OUTSTANDING CLAIMS

Summary January 1st 1967 to June 30th 1967

Claims outstanding Dec. 31st 1966		836,732.64
Received during the period (55)		551,992.19
		1,388,724.83
Refused, withdrawn or reduced (11)	74,669.21	
Paid (amount originally claimed)	258,572.75	333,241.96
CLAIMS OUTSTANDING June 30th 1967		1,055,482.87

It is likely that a proportion of these applications will fail to comply with the requirements of The Law Society Act, but it is impossible to tell what proportion will not result in grants from the Fund.

THE REPORT WAS RECEIVED.

CONVOCATION ADJOURNED AT 12:45 FOR LUNCHEON

CONVOCATION RESUMED at 2:30 p.m., a quorum being present.

DISCIPLINE COMMITTEE

GENERAL REPORT

Your Committee met on the 14th of September 1967, the following members being present: Mr. W. Gibson Gray, Chairman, and Messrs. Beament, Bowlby, Bull, Cass, Common, Creighton, Dubin, Evans, Ford, Henderson, Howland, Levinter, MacKinnon, Pattillo, Robins, Slemin and Strauss.

ESTIMATES

The Estimates for the Discipline Committee for the year 1967-68 were considered and approved at $60,000.00.

COMPENSATION FUND: LEVY:

Your Committee recommends that the Compensation Fund Levy be set at $60.00 for the year 1967-1968.

SLUM LANDLORDS

In the fall of last year, publicity was given in the local newspapers to practices of certain people in dealing with real estate which resulted, it is alleged, in over-inflated prices being paid for property and/or mortgages on the property. Inasmuch as such real estate transactions would somewhere require the services of lawyers, it was felt advisable to have an investigation made of the situation to determine what part was actually played by what members of the legal profession. Mr. F. K. Higginbottom, Q.C., was asked to look into the matter for the Society. Subsequently a report was forwarded to the Society and was considered. Your Committee is of the opinion that there is insufficient evidence at this time to proceed against lawyers named therein.

THE REFORT WAS ADOPTED.

LEGAL EDUCATION COMMITTEE—Mr. Howland

Your Committee met on the 14th day of September, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. Henderson, MacKinnon, Slemin and R. F. Wilson.

BAR ADMISSION COURSE

FACULTY

The Director requests the Committee's approval of the following appointments to the Faculty at the Bar Admission Course:

Real Estate

E. A. Christie, Esq., to be appointed as a Stand-by Instructor.

Civil Procedure I

J. J. Carthy, Esq., to be appointed as an Instructor in place of J. S. Boeckh, Esq., Q.C., resigned.

R. I. Cartwright, Esq., to be appointed as an Instructor in place of B. A. Kelsey, Esq., resigned.

W. R. Maxwell, Esq., to be promoted from Stand-by Instructor in place of K. M. Gibson, Esq., Q.C., resigned.

W. A. Kelly, Esq., to be promoted from Stand-by Instructor to an Instructor.

P. J. Brunner, Esq., to be appointed as a Stand-by Instructor, in place of W. A. Kelly, Esq., promoted to Instructor.

E. Sexton, Esq., to be appointed as a Stand-by Instructor, in place of W. R. Maxwell, Esq., promoted to Instructor.

P. J. Sullivan, Esq., to be appointed as a Stand-by Instructor.

Perce Young, Esq., to be appointed as a Stand-by Instructor.

Estate Planning

A. L. Naiman, Esq., to be promoted from Stand-by Instructor to an Instructor.

Creditors' Rights and Bankruptcy

M. I. Applebaum, Esq., to be promoted from stand-by Instructor to an Instructor.

M. Solway, Esq., to be appointed as an Instructor.

M. D. O'Reilly, Esq., to be appointed as an Instructor in place of H. R. Poultney, Esq., resigned. *Approved*

OSGOODE HALL LAW SCHOOL

SUPPLEMENTAL EXAMINATION RESULTS — AUGUST 1967

The record of the returns of the examiners of the supplemental examinations, August, 1967, for all years, is submitted herewith:

First Year

There were fifty-two (52) students who wrote these examinations and of that number forty (40) passed clear and have completed the work of their First Year and are entitled to proceed to the Second Year of the LL.B. course in September, 1967.

Second Year

There were thirty (30) students who wrote these examinations and of that number twenty-five (25) passed clear and have completed their Second Year.

Third Year

There were six (6) students who were entitled to write the supplemental examinations in Third Year and all these students have passed and are entitled to receive their LL.B. degree at the October Convocation. *Noted*

AMENDMENT OF REGULATION

Regulation 9 of Part I of the Regulations of the Legal Education Committee reads as follows:

> "The percentage of marks which must be obtained in order to pass an examination is not less than fifty per cent of the number of marks obtainable in each subject."

To bring the Regulation into conformity with the Academic Regulations which were passed by the Senate of York on 23rd March, 1967, and by Convocation on 21st April, 1967, Regulation 9 should be amended by the addition of the following words:

> "Students entering the Law School in 1967 and thereafter must, to pass, obtain at least fifty-six per cent of the total of the marks possible for all examinations." *Approved*

ADMISSIONS TO THE FIRST YEAR OF THE LL.B. COURSE

The Faculty recommends approval for admission to the First Year of Osgoode Hall Law School the following English barristers:

Louis Alfred Low — admitted Gray's Inn 1949.

Oscar Anthony Joseph Fonseca — admitted Middle Temple 1960.

Your Committee recommends that they be advised that under the present Regulations they do not qualify for admission.

ONTARIO LAW REFORM COMMISSION PROJECT ON THE LAW OF EVIDENCE — ASSOCIATE DEAN MEWETT

Associate Dean Mewett has been invited by the Chairman of the Ontario Law Reform Commission to assume the Directorship of their project on the Law of Evidence. Associate Dean Mewett states that this commitment would not in any way interfere with his normal teaching and administrative duties at this School.

The Dean recommends that approval be given to Associate Dean Mewett to assume that responsibility. *Approved*

POST-GRADUATE STUDIES

The Faculty recommends that the degree of LL.M. be awarded to Mark Orkin, Q.C., for his thesis entitled "Disciplinary Proceedings by the Law Society of Upper Canada, 1945-1965: A Study of Professional Self-Government".

Approved

LAW SCHOOL TEACHING STAFF

Full-time Teaching Staff

The Faculty request approval of the appointment of Ivan R. Feltham as Full Professor with tenure and as Director of the Commercial Law Programme from 1st July, 1967.

APPROVED subject to the approval of The Finance Committee.

LAW SOCIETY SPONSORED CHARTER FLIGHT TO EUROPE

George D. Butterfield, a member of the Bar of Ontario, Sidney P. H. Robinson, a student in the Bar Admission Course, propose to the Society that the Society sponsor a group travel arrangement involving the charter of an aircraft to transport members of the Society and their families to Europe in the early spring of 1968. A letter from Messrs. Robinson and McDermott is before the Committee.

Your Committee recommends that they be informed it is not a matter the Society should undertake and that they might discuss the matter with County of York Law Association.

Moved by Mr. Bull, seconded by Mr. Maloney that the recommendation respecting Louis Alfred Low and Oscar Anthony Fonseca, United Kingdom barristers, made on page 4 of the Report, be changed and that the applicants be admitted into the Osgoode Hall Law School. *Carried*

THE REPORT AS AMENDED WAS ADOPTED.

PROFESSIONAL CONDUCT COMMITTEE—Mr. Fennell

Your Committee met on the 14th day of September 1967, the following members being present: Mr. S. E. Fennell, Chairman, Mr. B. J. MacKinnon, Vice-Chairman, and Messrs. Bull, Gray, Howland, Strauss and Slemin.

RULING 16 — DIRECTORIES, ANNOUNCEMENTS AND PROFESSIONAL CARDS

Your Committee had before it one application received from a publisher for approval under Section 3 of Ruling 16, and recommends that the following publication be approved and notice of approval be published in the Ontario Reports:

THE LAWYERS DIRECTORY

Your Committee dealt with several enquiries from various members of the profession and gave opinions on the problems raised.

THE REPORT WAS ADOPTED.

LIBRARIES AND REPORTING COMMITTEE—Mr. Steele

Your Committee met on the 14th September, 1967, the following members being present: Messrs. Ford, Vice-Chairman in the Chair, Beament, Cassels and Creighton.

GREAT LIBRARY

GIFTS AND DONATIONS

Among the gifts and donations received during the summer were the following:

Miss Mary Pickett Carter — *Great American Lawyers* — 8 volumes; *Messages and Papers on the Presidents* — 20 vols. These were the property of her father, Mr. John W. Carter, Jr., a retired lawyer of Washington, D.C.

The Estate of the Honourable W. P. R. Street — Mr. Charles S. M. Mortimer, Q.C., arranged the transfer of a number of papers, essays and volumes dealing with the history of the Street family, of importance in the Canadiana collection.

Miss Dorothy Latchford — A number of papers, some correspondence and Supreme Court factums belonging to her late father, the Honourable Chief Justice F. R. Latchford, for distribution or use by the Great Library.

York County Law Association — Miss J. MacBeth, Librarian, forwarded two volumes of citators by Snider and Taylor, no longer of use in York County Law Library, for distribution by the Great Library. *Noted*

VISITORS

Lord MacDermott, Lord Chief Justice of Northern Ireland, visited the Great Library during the summer, to consult a number of its Reports.

Mr. Walter J. Riddell, a grand-nephew of the late Honourable Mr. Justice J. R. Riddell, visited the Great Library during the summer. *Noted*

COUNTY LIBRARIES

GRANTS

Your Committee recommends that a grant be made as follows:

Halton	$1,283.67

REPORTING

COSTS TO THE PROFESSION FOR REASONS FOR JUDGMENT

Complaints have been received by the Law Society from members of the profession as to the charge being made for copies of Reasons for Judgment. The present cost is 75¢ per page.

Your Committee recommends that copies of Reasons for Judgment be provided to the profession at 50¢ per page.

ONTARIO REPORTS — NUMBERING LINES

The suggestion has been received by the Law Society that each 5th line on each page of the Ontario Reports be numbered in order to facilitate reference. This suggestion was referred to Mr. W. B. Cartwright of the Canada Law Book Co. Limited who reports that such numbering would cost 50¢ per page.

Your Committee recommends that no action be taken.

RE CANADA LAW REPORTS

The Law Society is in receipt of a letter from the Registrar of the Supreme Court of Canada giving notice of cancellation of the Agreement between Her Majesty the Queen in Right of Canada, and the Law Society of Upper Canada dated 2nd

January 1963. This agreement provides for the distribution to the profession of copies of the Canada Law Reports at a cost to the Society of $5.00 annually for each of its members.

A further letter has been received by the Law Society advising that the new price is presently in the process of being negotiated, and when fixed the Law Society will be advised. *Noted*

THE REPORT WAS ADOPTED.

UNAUTHORIZED PRACTICE COMMITTEE—Mr. Strauss

Your Committee met on the 14th September 1967, the following members being present: Mr. Strauss, Chairman, and Messrs. Beament, Bowlby, Cass, Fennell and Henderson.

THE IMPERIAL LIFE ASSURANCE COMPANY

At its February meeting your Committee considered a letter written by the Imperial Life Assurance Company with respect to the employment at its Head Office in Toronto of a member of the Ohio Bar as the Company's prime consultant on U.S. legal matters. It is expected that in time this man would be in correspondence with State Insurance Departments, Branch Managers, and agents in the United States. A question raised by the Company concerned the propriety of his being made to appear as a member of the Legal Department to those outsiders with whom he is in contact. Your Committee's report to Convocation was referred back by Convocation at its February meeting for further consideration. Your Committee then appointed a sub-committee composed of Messrs. Strauss, Callon and Beament to give further consideration to the question.

This sub-committee obtained much valuable and extensive material with respect to this problem from numerous Law Societies and other sources. Your Committee has now received the Report of this Sub-Committee.

Your Committee recommends that the Secretary be instructed to write to The Imperial Life Assurance Company of Canada advising that the Law Society has no objection to the Company's proposal as set out in its letter to the Society of the 11th January last, as long as this United States lawyer does not hold himself out and is not held out by the Company in any way as being qualified to practice law in Ontario, and does not in fact practice law in Ontario.

RE: NEW YORK LAW FIRM OPENING OFFICE IN ONTARIO

The Law Society has received a letter dated 20th July 1967 from a firm of Ontario lawyers inquiring as to the permissibility of a qualified firm of attorneys practising law in the State of New York opening an office in the Province of Ontario for the purpose of rendering opinions restricted solely to questions of American law.

Your Committee recommends that the Secretary be instructed to write to the Ontario firm of lawyers advising that the Law Society disapproves of the proposal.

THE REPORT WAS ADOPTED.

CONTINUING EDUCATION COMMITTEE

Mr. Gray presented the following report:

Your Committee met on Thursday, the 14th September 1967, the following members being present: Mr. Gray, Vice-Chairman, in the Chair, and Messrs. Cass, Howland, MacKinnon and Slemin.

CONTINUING EDUCATION 1967 —*"Recent Developments in the Law—Part II"*

The total number registered for the special course of lectures this year was 605. As in previous years, approximately 48% of the profession registered were from outside the Metropolitan Toronto Area, and covered the Province generally.

The financial statement in connection with the lectures for 1967 is as follows:

RECEIPTS	
605 registrations @ $15.00	$9,075.00
DISBURSEMENTS	6,144.76
Excess of receipts over disbursements	$2,930.24

SPECIAL LECTURES 1968

Your Committee recommends that the Special Lectures in 1968 be given on the 3rd and 4th week-ends of March — March 15-16 and 22-23, 1968.

THE REPORT WAS ADOPTED.

SPECIAL COMMITTEE ON OSGOODE HALL LAW SCHOOL AFFILIATION WITH YORK UNIVERSITY

Mr. Howland

Your Committee met on Monday, the 18th day of September, 1967, at 4:45 p.m., the following members being present: Mr. W. G. C. Howland, Chairman, and Messrs. Arnup, O'Brien and Robins.

The Chairman reported that because the strike in some of the building trades continues it now appears unlikely that the Law School building at York will be completed by the fall of 1968 and that it may not be possible for the School to move until the fall of 1969.

The Committee considered the opinion of Messrs. Fraser, Beatty, Tucker, McIntosh & Stewart respecting the Scholarship and Prize Trusts and recommends that with the concurrence of counsel for York University the matter be taken up with the Legislative Counsel with a view to seeking a private bill to effect transfer to York of all scholarship, bursary and loan funds now under the Society's control for the benefit of students at Osgoode Hall Law School.

With respect to the Phillips Stewart Library, the Committee received the report of the Library Sub-Committee of the Special Committee on Osgoode Hall Law School Affiliation with York University dated 12th July, 1967. Your Committee recommends that the Society retain the items listed in paragraph 1 of the Sub-Committee's report and that the books which are to go to York be donated to York University by the Law Society.

THE REPORT WAS ADOPTED.

The LEGAL AID PROGRAMME COMMITTEE begs leave to report:

Your Committee met on Thursday, September 21, 1967, the following members being present: Mr. Thomas Callon, Chairman, and Messrs. Beament, Sale and Fairbairn.

Mr. F. Joseph Cornish, Q.C., Area Director for York County, Mr. W. R. Donkin, Deputy Area Director for York County, Mr. M. Mackenzie, F.C.A., Clarkson, Gordon & Co., Mr. I. Nyman and Mr. L. H. Ritchie, Woods, Gordon & Co., were present by invitation.

STUDENT LEGAL AID SOCIETIES

A lengthy discussion took place concerning the problems involved in organizing student legal aid under the new Legal Aid Plan. The Committee is of the opinion that additional provisions will be required in the Regulation in order to properly control student legal aid activity under the Plan. Mr. Fairbairn was requested to make such enquiries and conduct such study of the problems as he considered necessary in order to submit his recommendations to the Committee as to the manner in which the students should participate in the work of the Plan. The sub-committee charged with the responsibility of recommending amendments to the Statute and Regulation agreed to give this matter priority of consideration.

AREA COMMITTEES

Your Committee recommends that the following be appointed members of the Legal Aid Area Committees for the following areas:

1. *Lambton County*
   John M. Wing, Solicitor, Sarnia.
2. *Rainy River District*
   G. M. Burr, Solicitor, Fort Frances
   (Mr. Burr will replace M. J. L. Eustace, Solicitor, deceased)
3. *Welland County*
   Donald A. Riou, Solicitor, Welland

Resignations

Your Committee has received resignations from the following:

1. *Cochrane District*
   Mr. James D. Kingston, Engineer, has resigned from the Cochrane Area Committee due to a transfer out of the area.
2. *Lambton County*
   Major N. L. LeSueur has resigned from the County of Lambton Area Committee.

THE REPORT WAS ADOPTED.

CONFERENCE OF THE GOVERNING BODIES OF THE LEGAL PROFESSION IN ONTARIO

The Treasurer reported briefly on the meeting of the Conference of the Governing Bodies which took place in Quebec City, September 4-9, 1967.

CORRESPONDENCE

The Treasurer read the following correspondence:

Letter from Mrs. W. J. Beaton thanking the Treasurer and Benchers for the flowers and expression of sympathy received at the time of Mr. Beaton's death.

Letters from Mrs. Lillian Sherriffs and Miss Margaret Lennox thanking the Treasurer and Benchers for the honorarium given them at the time of their retirement as Managers of the Barristers Lunch Room.

Ordered that the same be received and filed.

CONVOCATION THEN ROSE

"Brendan O'Brien"
Treasurer

MEETING OF CONVOCATION

Friday, 20th October 1967
10:30 a.m.

Present:

The Treasurer, and Messrs. Beament, Bowlby, Bull, Callon, Cass, Cassels, Chitty, Clement, Creighton, Evans, Ford, Goodman, Gray, H. E. Harris, Henderson, Howland, MacKinnon, O'Driscoll, Pattillo, Pepper, Raney, Roberts, Robins, Roebuck, Seymour, Sheard, Slemin, Steele, Strauss, Thom, Williston and R. F. Wilson.

The Minutes of the meeting of Convocation of the 22nd September 1967 were read and approved.

Benchers

The Treasurer announced with regret the death of *Timothy J. Rigney, Q.C.*, a senior Bencher and one of the senior members of the Bar of Ontario. Mr. Rigney was active in Law Society affairs until about two years ago. He will be greatly missed.

The Treasurer noted that by oversight it was not recorded in the minutes that *William J. Beaton, Q.C.*, a Life Bencher, had died on June 16, 1967. Mr. Beaton played a very active part in the work of the Society until his final illness made this impossible. His funeral was attended by a large number of Benchers and members of the profession.

Committee Membership

Mr. J. G. J. O'Driscoll was appointed to the following Committees: Discipline, Professional Conduct, and Public Relations.

Mr. Fraser Raney was appointed to the following Committees: Public Relations, and Unauthorized Practice.

Mr. Nathan Strauss was appointed to the Libraries and Reporting Committee.

Mr. J. D. Bowlby was appointed to the Special Committee on Organization of Convocation and Committees.

LEGAL EDUCATION COMMITTEE—Mr. Howland,

Your Committee met on the 12th October, 1967, the following members being present: Mr. W. G. C. Howland, Chairman, Mr. S. L. Robins, Vice-Chairman, and Messrs. MacKinnon, Sheard and Thom.

BAR ADMISSION COURSE

FACULTY

The Director requests the Committee's approval of the following appointments to the Faculty of the Bar Admission Course:

Commercial Law

M. L. Ainsley, Esq., to be appointed as an Instructor.
G. A. Wilson, Esq., to be promoted from Stand-by Instructor to Instructor.

Creditors' Rights and Bankruptcy

H. Nathan, Esq., to be appointed as a Stand-by Instructor, in place of M. I. Applebaum, Esq., promoted to Instructor.

Civil Procedure II

M. N. Ellis, Esq., to be promoted from Stand-by Instructor to Instructor.
W. D. Lilly, Esq., to be promoted from Stand-by Instructor to Instructor.
T. H. Rachlin, Esq., to be appointed an Instructor.
D. T. Holding, Esq., to be appointed an Instructor.
C. A. Keith, Esq., to be appointed a Stand-by Instructor.
J. W. McCutcheon, Esq., to be appointed a Stand-by Instructor.
A. C. Pennington, Esq., to be appointed a Stand-by Instructor in place of W. D. Lilly, Esq., promoted to Instructor.
W. P. Somers, Esq., to be appointed a Stand-by Instructor in place of M. N. Ellis, Esq., promoted to Instructor.

Approved

PETITION

Ronald George Atkey entered the Bar Admission Course in September, 1966, and completed his service under articles in August, 1967. He recently joined the Faculty of Law, The

University of Western Ontario, where his appointment is for a period of two years, and asks permission to defer taking the teaching period until 1969.

Approved

APPROVAL OF LAW FACULTIES

McGill University

McGill University asks approval of the course given by its Law Faculty leading to the degree of LL.B. for the purpose of having its graduates enter the Bar Admission Course. A submission prepared by that Faculty and submitted by Dean Maxwell Cohen, Q.C., is before the Committee.

Your Committee recommends the submission be sent to the Deans of the approved law schools for their comments.

ADMISSION OF SPECIAL STUDENTS

R. Rusinek and *B. Spiegal.* The Faculty recommends that the applications of Messrs. R. Rusinek and B. Spiegal of the Office of the Superintendent of Bankruptcy be approved to take the Course in Creditors' Rights with examination privileges. The Faculty further recommends that they be required to pay a fee of $50.00 each.

Approved

STUDENT LOAN FUND

The Loan Committee recommends that a loan be authorized to be made to a first year student in the amount of $160.00.

It is further recommended that the above loan be secured by a promissory note in this case in accordance with the standard repayment provisions contained in Paragraph 16(d) of the Regulations.

In making this recommendation the Committee has given particular attention to the academic performance of this student and is satisfied that his academic transcripts indicate that the borrower is a good academic risk for the completion of his legal studies.

Approved

THE REPORT WAS ADOPTED.

Moved by Mr. Howland, seconded by Mr. Robins, that Mr. John Allen Willes be admitted to the degree of Master of Laws.

Carried.

ADMISSIONS COMMITTEE—Mr. Sheard,

Your Committee met on Thursday, the 12th October, 1967, the following members being present: Mr. Terence Sheard, Chairman, Mr. W. G. C. Howland, Vice-Chairman, and Messrs. Callon, MacKinnon and Robins.

CALL TO THE BAR AND CERTIFICATE OF FITNESS

Transfers from Another Province

The following candidates, having passed the examinations set by the Examining Board, filed the necessary documents and paid the required fee of $411.00, now apply for call to the Bar, and to be granted Certificates of Fitness:

Robert Freeland Dykes	New Brunswick
Sam Norman Filer	Alberta

Approved

ADMISSION OF STUDENTS-AT-LAW

Bar Admission Course

The following candidates having complied with the relevant Regulations, paid the required admission fee of $101.00 and filed the necessary papers, apply for admission to the Law Society as students-at-law in the Bar Admission Course, as of September 1, 1967:

Under Transfer Regulation No. 11

402 SAINANEY, Rewachand Arjandas Commonwealth Transfer — India

Under Transfer Regulation No. 8

403 NORFOLK, Anthony Robert English Solicitor

Under Transfer Regulation No. 11

404 BARIA, Dara Commonwealth Transfer — India

Under Transfer Regulation No. 2

405 SAMPLE, Patricia Olcen Direct Transfer — Alberta

Approved

ADMISSION OF STUDENT-AT-LAW

Douglas George Pittet (LL.B. Dalhousie University 1957; LL.M. Dalhousie University 1958) was called to the Bar in Nova Scotia in 1958. He applies to enter the Bar Admission Course on the strength of his approved LL.B. degree from Dalhousie University. He has been allowed to enter the Bar Admission Course and to serve under articles subject to his application being approved.

Approved

DIRECT TRANSFER

Paul C. McIntyre (LL.B. Dalhousie 1960). The applicant was called to the Bar in Alberta in 1961 where he remained in active practice until 1965. He was called to the Bar in Nova Scotia in 1965 and was in practice there until August 1967. He seeks to proceed under Regulation 2.

Approved

UNITED KINGDOM SOLICITOR

John Henry Dockrell. The applicant holds a current practising certificate as a solicitor of Southern Ireland and seeks to proceed under Regulation 8. He has been allowed to enter the Bar Admission Course and to serve under articles subject to his application being approved.

Approved

COMMONWEALTH TRANSFERS

Polly Dara Baria (LL.B. 1952, B.A. (Hons.) 1953 University of Bombay, India). Mrs. Baria was called to the Bar in Bombay in 1951. She applies to proceed under Regulation 11.

Approved

Spencer H. L. Hung (Internal LL.B. degree University of London 1958). The applicant was admitted as a solicitor in the United Kingdom in 1961 and to the Supreme Court of Hong Kong in 1962 where he has remained in active practice ever since. His application to proceed under Regulation 11 was approved by the Committee on the 14th September 1967. Mr. Hung asks that his period of Articles in Ontario be reduced to six months to enable him to enter the teaching period of the Bar Admission Course in September, 1968.

Your Committee recommends that he be required to complete the Bar Admission Course, both the articling and teaching periods, in its entirety.

FULL-TIME MEMBERS OF THE FACULTY OF APPROVED LAW SCHOOLS

Professor David H. Bonham of the Faculty of Law, Queen's University, asks to be called to the Bar and admitted as a solicitor without examination pursuant to the policy respecting full-time members of approved Law Faculties in Ontario approved by Convocation the 19th of February, 1960, upon payment of a fee of $200.00.

Approved

SPECIAL CALL OF LAW TEACHERS IN ONTARIO

At its meeting of the 14th September 1967, the Committee gave preliminary consideration to changing its policy from recommending that members of full-time Law Faculties in approved Ontario Law Schools be called to the Bar and admitted as solicitors upon entering their third year of teaching, and the policy of calling Deans of Ontario Schools upon entering their second year in that position. The Secretary wrote, at the Committee's direction, to the Deans of all approved law schools in Ontario asking for their views of the Committee's policy and of a proposed change which would require all teachers who wish to be called to the Bar to complete the Bar Admission Course or part of it. Replies from Dean R. St. J. Macdonald, University of Toronto, Dean W. R. Lederman, Q.C., Queen's University, Dean T. G. Feeney, Q.C., University of Ottawa, and Dean A. W. R. Carrothers, The University of Western Ontario, are before the Committee.

The Committee's policy was inaugurated in February, 1960, and so far twenty-nine law teachers have been called of whom twelve were not then members of any Bar. Two of those called pursuant to the Committee's policy have left teaching for active practice in the profession in Ontario.

Your Committee recommends that no action be taken at present.

THE REPORT WAS ADOPTED.

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation, were Called to the Bar, and the degree of Barrister-at-law was conferred upon them by the Treasurer:

Robert Freeland Dykes — Special — New Brunswick
Sam Norman Filer — Special — Alberta

FINANCE COMMITTEE—Mr. R. F. Wilson,

Your Committee met on Thursday, the 12th October 1967, the following members being present: Mr. Sheard, Vice-Chairman in the Chair, and Messrs. W. E. Harris, Howland, Levinter, Pepper, Raney, Steele and Thom.

ACCOUNTS

The Secretary reports that from the 1st September to the 30th September 1967 accounts, including Library Accounts, properly approved, to the amount of $56,804.82 have been paid.

Approved

ANNUAL FINANCIAL STATEMENT

The Annual Statement for the year ending 30th June 1967, as certified by the auditors, Messrs. Clarkson, Gordon & Company, is before the Committee for consideration.

Approved for publication pursuant to the Rules.

At the Committee's request, Clarkson, Gordon & Company examined the Society's accounting systems, reporting procedures, general policies and internal controls. Their findings and recommendations are contained in a Report dated the 29th September 1967. Your Committee gave careful consideration to the Report and recommendations, and now recommends to Convocation certain changes in the Society's operations.

ANNUAL FEES

Your Committee recommends that the fee for membership in the Society for 1967-68 which will be payable by the 30th November 1967, be set at $70.00.

ROLLS AND RECORDS

The Secretary reports:

(1) *Appointments to the Bench*

That the following former members of the Law Society have been honoured in their appointment to judicial office, and their names have been removed from the rolls and records of the Society:

George Arthur Addy, Q.C., Ottawa	Called — 18th October 1945; Appointed Judge, S.C.O., 25 September 1967.
Donald Allayne Keith, Q.C., Toronto	Called — 21st June 1934; Appointed Judge, S.C.O., 25 September 1967.

(2) *Deaths*

That the following former members of the Law Society have died:

A. M. Boyd, Toronto (Honorary Life Member)	Called — 21st June 1911 Died — 12th September 1967
R. V. Mark, Fenelon Falls	Called — 15th June 1922 Died — 13th September 1967
W. R. Binch, Q.C., Toronto	Called — 17th January 1921 Died — 18th September 1967
Archibald T. Young, Meaford	Called — 19th November 1931 Died — 24th September 1967.

Noted

HONORARY LIFE MEMBERS

Pursuant to Rule 32(a) the following are eligible to become Honorary Life Members of the Law Society:

	Name and address	*Common Roll*	*Grad. or Matric.*	*Normal year of call*	*Called*
1.	Allen, John Bamber, Q.C.	1914	Grad.	1917	Sol.- 9 Jul. 17 Bar.- 25 May 17
2.	Becking, James Daniel	1912	Matric.	1917	22 Nov. 1917
3.	Binkley, Ewart Gladstone	1912	Matric.	1917	8 Feb. 1917
4.	Birks, Ray Thornley, Q.C.	1913	Grad.	1917	25 May 1917
5.	Campbell, Lancing Belmont, Q.C.	1914	Grad.	1917	25 May 1917
6.	Fetzer, Ernest Carl, Q.C.	1912	Matric.	1917	13 Oct. 1917
7.	Goodman, David B., Q.C.	1914	Grad.	1917	20 June 1917
8.	Mulholland, Joseph Nelson, Q.C.	1910	Matric.	1917	11 Aug. 1917
9.	McHugh, Andrew George, Q.C.	1914	Grad.	1917	25 May 1917
10.	Nind, Albert Benjamin	1912	Matric.	1917	18 Oct. 1917
11.	O'Brien, John Dennis, Q.C.	1912	Matric.	1917	25 May 1917
12.	Robertson, Norman Stuart, Q.C.	1914	Grad.	1917	25 July 1917
13.	Roebuck, Hon., Arthur Wentworth, Q.C.	1901	Matric.	1917	25 May 1917
14.	Smith, William Morley, Q.C.	1914	Grad.	1917	25 May 1917
15.	Steele, Harold Learoyd, Q.C.	1912	Matric.	1917	10 Oct. 1917
16.	Walter, Richard Dalton Moore, Q.C.	1912	Matric.	1917	22 Nov. 1917

Pursuant to Rule 32(b) the following are eligible to become Honorary Life Members of the Law Society:

Name and address	*Common Roll*	*Grad. or Matric.*	*Normal year of call*	*Called*
17. Campbell, Hugh Kingsley	1912	Matric.	1917	6 Feb. 1919
18. Christilaw, John Arthur, Q.C.	1912	Matric.	1917	6 Feb. 1919
19. Lovatt, George Hughes, Q.C.	1912	Matric.	1917	20 May 1920
20. Reynolds, Harry James, Q.C.	1913	Matric.	1917	11 Sept. 1919
21. Sproule, Arthur Robert, Q.C.	1912	Matric.	1917	17 Mar. 1921

Approved

ELEVATOR TO THIRD FLOOR LOUNGE

From time to time consideration has been given to providing elevator service to the third floor lounge. The steps are long and steep and many older members of the profession wisely refrain from using them. The rooms are not used to the extent they could be. It is extremely difficult to provide refreshments there because the caterers shrink from carrying trays up the stairs. Alternative sites for an elevator have been explored by Mr. Heeney who suggests either that the present freight elevator used to lift supplies from the basement truck tunnel to the barristers' lunch room be converted to carry passengers as well as freight and extend up to the third floor lounge; or alternatively a separate elevator could be constructed either in the stair-well or in a corner of the court yard. The cost would be approximately between $33,000. and $36,000.00.

Your Committee recommends that consideration of this matter stand to the November meeting.

DALHOUSIE UNIVERSITY

A letter from Dean W. A. MacKay, of the Faculty of Law, Dalhousie University, dated 21st September 1967, asks if it would be possible for the Law Society to assist in defraying the expenses of a conference to be organized by the law students at Dalhousie University on the theme, "Centennial of Confederation: A Look Ahead". The conference is scheduled for October 25-28, 1967. Of the $19,670.60 required, $12,635.52 has already been raised. The Society is asked to help defray the balance of $6,000.08.

Your Committee recommends that the Society contribute $500.00 toward the above project.

THE REPORT WAS ADOPTED.

The Treasurer left the meeting to attend the Swearing In of His Honour Judge Walter Martin as Judge of the County of York. Mr. R. F. Wilson took the Chair.

LIBRARIES AND REPORTING COMMITTEE—Mr. Steele,

Your Committee met on Thursday, the 12th October 1967, the following members being present: Mr. Steele, Chairman, and Messrs. Beament, Cassels, Clement and Creighton.

GREAT LIBRARY

ACCOUNTS

The budget for the purchase of books for the fiscal year July 1, 1967 to June 30, 1968, for the Great Library is $21,000.00, and for the Phillips-Stewart Library, $15,000.00. Expenditures to September 30th, 1967 are as follows: Great Library — $2,940.73; Phillips Stewart Library — $13,396.06.

Your Committee instructed the Secretary to write to Professor B. Halevy, Librarian, Phillips Stewart Library, and inform him of these figures.

GIFTS AND DONATIONS

Mrs. S. A. Shoemaker has donated a number of volumes, including sets of the Ontario Reports and the Supreme Court Reports along with some other texts and statutory materials, from the estate of her late husband, Mr. Stuart Alan Shoemaker, Q.C. Mrs. Shoemaker has been suitably thanked.

Noted

REPORTING

Your Chairman has been advised by Mr. W. B. Cartwright of Canada Law Book Co. Limited, that Mr. Horace Krever has been appointed Editor-in-Chief of the Ontario Reports.

Noted

THE REPORT WAS ADOPTED.

ONTARIO INTERPROFESSIONAL LIAISON COMMITTEE

Mr. Howland presented the Report of the Ontario Interprofessional Liaison Committee:

A meeting of the Interprofessional Liaison Committee was held on June 27th, 1967 as the guests of the Ontario Association of Architects.

1. SPECIALIZATION — The major topic discussed was that of specialization. Papers were presented by the medical and dental professions which are the most advanced in the matter of specialization. In the case of the medical profession The Royal College of Physicians and Surgeons, a national voluntary body, sets the standards and conducts the examinations both for the higher Fellowship qualification, and for the lower Certification qualification in one of some twenty-five specialties. Approximately one-half of the medical practitioners in Canada hold one or another of the specialist qualifications of The Royal College of Physicians and Surgeons of Canada. When certification began specialist certificates were granted without examination for the first few years to those who were adequately trained and already established in practice. There is no attempt to influence the number of physicians who may choose to become specialists. With the exception of Quebec which conducts its own program of certification of specialists the licensing authorities of most provinces have recognized the Royal College qualifications as the standard for recognition of specialist status. A physician may be qualified in more than one specialty. There is no compulsory program for continuing education of medical specialists to ensure that they remain up to the required standard. There is a very significant shortage of general practitioners.

In the dental profession five specialties are recognized. In Ontario the ratio of specialists to general practitioners in the dental profession is 1/16. If a dentist is licensed to practise as a specialist in Ontario he must limit his practice to that specialty to the exclusion of general practice. His qualification can be revoked if he becomes disqualified to practise as a specialist.

The engineering profession like the legal profession is considering specialization. In the accounting profession only the licensing of trustees in bankruptcy and the specialty of management consulting can be referred to.

2. VOCATIONAL GUIDANCE SUMMER COURSES — The professions participated once again in the summer courses for Voca-

tional Guidance teachers conducted by the Department of Education. The legal profession was represented by Mr. R. J. Roberts, Q.C. and participated in a panel discussion on "The Professions — Recent Trends and Developments" and also gave some five presentations to smaller groups of teachers.

3. LONG RANGE PLANNING —A Survey is being made of the extent to which each of the professions make and use long range plans covering a period of five to ten years.

THE REPORT WAS RECEIVED.

LEGAL AID PROGRAMME COMMITTEE—Mr. Callon,

Your Committee met on Wednesday, the 18th October, 1967, the following members being present: Mr. Thomas Callon, Chairman, and Messrs. Caldbick, Fairbairn, Houser, Reid, Sale and Waugh.

YORK COUNTY LEGAL AID OFFICE

The report from Woods, Gordon & Company, on the organization of the York County Legal Aid office, in its final form, was presented to the Committee.

The Committee reviewed the report and recommended its adoption.

Copies of the report of Woods, Gordon & Company have been forwarded to the Secretary of The Law Society of Upper Canada.

STUDENT LEGAL AID

In accordance with the request of the Legal Aid Programme Committee to Mr. Lyle Fairbairn at its meeting of September 21st, 1967, Mr. Fairbairn submitted for the consideration of the Committee, a memorandum dated September 29th, 1967, setting out his recommendations for the manner in which the study of the participation by Ontario law students and student legal aid societies in legal aid should be made.

The Committee carefully reviewed this memorandum and a copy of the memorandum as finally adopted by the Committee, is attached as Schedule A to this report.

Mr. Fairbairn also submitted for the consideration of the Committee, a further memorandum dated September 30th, 1967, setting forth his recommendations as to the manner in which existing University of Toronto and Osgoode Hall legal aid societies might continue their activities pending the final report and decision of the Committee.

This memorandum was also considered and a copy of the memorandum as finally adopted by the Committee, is attached as Schedule B to this report.

PAYMENT OF COSTS OF UNASSISTED PERSONS OUT OF THE FUND PART VI OF THE REGULATION

The Committee considered a request on behalf of Montreal Trust Company for payment of the costs awarded to it against a defendant who was represented under a legal aid certificate.

The judgment obtained by Montreal Trust Company in the action was for $5,567.84 for debt, plus $235.98 for interest and costs taxed in the sum of $1,742.92.

After fully considering the request, it was the decision of the Committee not to grant the request.

AREA COMMITTEES

Your Committee recommends that the following be appointed a member of the Legal Aid Committee for the following area:

York County

John M. Magwood, Q.C.

Resignation

George A. Addy, Q.C., Ottawa has resigned from the Carleton County Area Committee. Mr. Addy has been appointed to the Bench of the Supreme Court.

THE REPORT WAS ADOPTED.

SCHEDULE A

MEMO

FROM: L. S. Fairbairn September 29, 1967
TO: Legal Aid Programme Committee

INTEGRATION OF ONTARIO LAW STUDENTS INTO LEGAL AID PLAN

There appear to be several aspects to the proposed study involving the nature and extent to which it is desirable to have student participation in the new Legal Aid Plan.

Status of Law Students

The status of law students to appear in Magistrate's Court, Division Court, Juvenile and Family Court and various administrative tribunals must be examined in the context of the following:

- (a) Legal Aid Act,
- (b) The Law Society Act,
- (c) The Solicitor's Act,
- (d) rulings of the Law Society Committee on unauthorized practice,
- (e) the recommendations of the current Law Society Committee which is reviewing the status of law students.

The object of this preliminary study will be to better understand a currently "muddy" problem and to suggest workable amendments to any relevant legislation where it might appear to be necessary or desirable.

Once this preliminary matter has been considered in some detail, it will then become necessary to review for the purpose of the report and recommendations to the Legal Aid Programme Committee the following:

(a) The nature and extent that student participation as counsel in the minor courts is desirable.

(b) The most desirable forms of assistance by students, the extent to which student assistance may be counted upon, and the possible mechanics of the assistance programme.

(It must be noted that Regulation 71 of the Legal Aid Act provides for student assistance to panel lawyers and duty counsel in very broad terms; it will probably not be necessary to amend that regulation. Insofar as the assistance branch of the student programme is concerned, the study will probably be confined to the mechanics of its administration, the "forms" of assistance, and the extent of the cooperation which the plan may count upon from students by way of assistance.)

The Report

I think that the Legal Aid Programme Committee would like to have the following information in the final report:

- (a) The views of law school administrators regarding
    - i. student participation in Legal Aid generally,
    - ii. The Student Assistance Programme.
    - iii. students appearing in the minor courts,
    - iv. the willingness of the law schools to experiment with a system of "credits" to be given to law students who participate in Legal Aid.

(b) The views of those Area Directors having a law school within their area regarding,

- i. student assistance in the area office,
- ii. the assistance of duty counsel,
- iii. the nature of assistance which might be given to panel lawyers generally,
- iv. their views regarding student appearance in the minor courts on cases not covered by the Plan.

(No doubt there will be circumstances peculiar to the various communities in the Province which may involve variations in the Student Programme from area to area; perhaps we are most likely to pick up these variations in the interviews with Area Directors.)

(c) Any representations or briefs submitted by student representatives.

(d) The internal organization of any student Legal Aid Programme which may be found to exist in the Province.

(e) The nature and extent of student participation in Legal Aid under the old plan in the various law school communities in the Province.

(f) Any records kept by students ought to be incorporated into the report.

(g) The observations regarding the internal organization of any United States' student Legal Aid Societies visited in the course of the study together with any observations as to the following:

- i. the nature and extent of student participation in the U.S. currently,
- ii. the framework of Legal Aid in various "selected" states within which the societies referred to in subparagraph 1 operate,
- iii. the nature and extent of U.S. law school endorsement of such societies and the mechanics of any system of "credits" where such may exist,
- iv. any "trends" which may be observed in the operation of U.S. student Legal Aid Societies.

It must be noted that none of the foregoing comments allude to a distinction between "articled" and "undergraduate" law students. No doubt this distinction will assume some importance in the course of the study. Undoubtedly the "mechanics" related to involving articled law students in any scheme of student participation within the Ontario Legal Aid Plan would be somewhat different and I expect that the distinction will also assume some importance when the Committee entertains the question on the status of law students generally. At present, I cannot conceive of any active participation in the Plan by law students engaged in the final 6-month lecture-seminar portion of the Bar Admission course. If the report is to be complete, however, it must be at least considered.

Interviews

It occurs to me that it would be necessary and proper for me to interview the following persons in order to insure that the study is reasonably complete:

1. Area Directors in:
    i. Toronto,
    ii. Ottawa,
    iii. London,
    iv. Kingston,
    v. Windsor.
2. The Law School Administrators.
3. The Director of the Bar Admission course.
4. Student representatives of the various law schools.
5. The President of the American Law Students Association.
6. The President of the Ontario Law Students Association.
7. The personnel charged with the administration with those courts or tribunals in which it may be contemplated that students will appear.

L.S.F.

SCHEDULE B
September 30, 1967

STUDENT LEGAL AID SOCIETIES — INTERIM PROPOSALS

With respect to the interim operation of the Toronto Student Legal Aid Societies the Programme Committee appears to adopt the following views:

1. Insofar as Section 20 and Section 71 of the Legal Aid Act and Regulation provide for assistance by law students to duty counsel and/or panel solicitors, Student Legal Aid Societies are recognized and their activity may be endorsed.

2. Any endorsement by the Law Society, tacit or otherwise, of student appearances in the minor courts is premature.

3. The Programme Committee recognizes that law students may perform a useful social service by appearing in the minor courts on behalf of indigents who would have no other form of representation.

4. Student organizations, insofar as current appearances in minor courts are concerned, are voluntary and in the nature of a welfare service; their status can be no higher than that of "agents" and they operate wholly outside the provisions of the Legal Aid Act.

5. Unless and until these activities are brought within the provisions of the Legal Aid Act it must not be made to appear that applicants for legal aid are in any manner "referred" to the Student Legal Aid Societies by any representative of the Area Director's office, or of the Law Society.

6. While the role of the law student in the Ontario Legal Aid Plan is under review, the Committee does not wish to take any action which would jeopardize the implementation of any future proposals respecting court appearances by students which it may see fit to make.

The Proposals for Undergraduate Students

If the above-mentioned views are accurately stated I would propose the following as an interim plan for the benevolent activities of law students pending the report and recommendations of the Legal Aid Programme Committee:

1. An interview with the combined undergraduate student representatives of the University of Toronto and Osgoode ought to be arranged immediately to discover the extent to which students are currently willing and able to offer assistance under Regulation 71.

2. Following that interview a letter to the attention of panel solicitors ought to be drafted providing them with information related to the assistance which they can expect to receive from the undergraduate students and the mechanics involved in obtaining a student for that purpose.

3. The draft letter should be submitted to the sub-committee of the Legal Aid Programme Committee for approval and if approved it should be forwarded to the Area Director in Toronto with the request that all panel members be so informed.

4. It is recognized that undergraduate students, outside of the Legal Aid Act and Regulation, may continue to appear on behalf of indigents who would clearly otherwise be unrepresented in the following instances:

i. in Magistrate's Court on summary conviction matters which do not involve a potential loss of livelihood or any likelihood of imprisonment.
ii. in Division Court for indigents who have been refused a legal aid certificate.

5. Where students participate otherwise than as provided pursuant to Section 71 of the Regulation the name "Legal Aid" Society should not be adopted: they should employ the name "Student Voluntary Defender Society" or other similar nomenclature which does not contain the words "Legal Aid".

6. The Social Planning Council of Metropolitan Toronto should be appraised of the existence of the voluntary service undertaken by law students, the circumstances of its application and the manner in which a qualified indigent may obtain a student to represent him.

7. An applicant who has been refused legal aid for other than financial reasons in the matters described in Paragraph 4 may be referred to the Society Planning Council whose support I hope we might enlist for the ultimate referral to the Defender Society during this interim period.

L. S. Fairbairn.

CONVOCATION ADJOURNED AT 12 P.M.

The Treasurer and Benchers entertained at luncheon the Honourable Mr. Justice Stark, and Dean G. E. LeDain of the Osgoode Hall Law School.

A Special Meeting of Convocation was held at 2:30 p.m., a quorum being present.

The Treasurer, Benchers, their guests, and members of the Faculty of the Osgoode Hall Law School, in academic robes or hoods, then proceeded to Convocation Hall and took their places on the dais.

The body of the Hall was occupied by the graduating students, and scholarship and prize winners of the First and Second Years, their families and friends.

Mr. W. G. C. Howland, Q.C., Chairman of the Legal Education Committee read the prayer.

CONFERRING OF DEGREE OF MASTER OF LAWS

At the request of the Chairman of the Legal Education Committee, the Treasurer conferred upon the following candidates the degree of Master of Laws:

Mark Merrill Orkin, Q.C.
John Allen Willes, (in absentia)

CONFERRING OF DEGREES IN COURSE

At the request of the Chairman of the Legal Education Committee, the Treasurer conferred upon the following candidates the degree of Bachelor of Laws:

Cyril Jobe Abbass
Donald Cairn Edward Champagne
Donald Arthur Ebbs
Daniel Morton Fine
Donald Raeburn Greenfield
John Joseph Henry
Kenneth James
Harry John Riva
Ernest Joseph Tadman
David Bryson Waugh

The Treasurer then presented the scholarships and prizes won by the students of the First and Second Year classes in the session 1966-67, as follows:

FIRST YEAR AWARDS

The Law Society Scholarship for attaining First place with Honours—Simon Ritchie Fodden.

The Prize in Torts—Simon Ritchie Fodden and Gordon Irwin Kirke.

The Law Society Scholarship for attaining Second place with Honours—Gordon Irwin Kirke.

The Richard Halliburton Greer Prize—Gordon Irwin Kirke.

The Harry R. Rose Criminal Law Prize—Gordon Irwin Kirke.

The Samuel Factor Memorial Prize—Gordon Irwin Kirke.

The Lawyers Club War Memorial First Prize—Robert Arsen Partyka.

The Lawyers Club War Memorial Second Prize—Robert Douglas Wilson.

The First Prize in Judicial Process—Anthony Robert Graham Wight.

SECOND YEAR AWARDS

A prize awarded to the student who attains First place in the Second Year, established by Mr. Roland O. Daly, Q.C.—Robert Graham Ferguson and Robert Duward Midgley.

The William Bruce Henderson Prize—Robert Duward Midgley.

The Ivan Cleveland Rand Scholarship—David Munro Beatty.

The Prize in Family Law—Brian Delby Bucknall.

The Prize in Company Law—Alan Herbert Coles.

The Reading Law Club Prize—Barrie David Chercover (in absentia) and Clifford Sigmund Nelson.

The Treasurer congratulated the new graduates and the scholarship and prize winners, and introduced the Honourable Mr. Justice Stark who addressed Convocation. He was thanked by the Treasurer.

CONVOCATION THEN ROSE.

At the conclusion of the ceremonies, the graduates, and scholarship and prize winners, their families and friends were taken on a tour of the new Court House, following which they were entertained by the Treasurer and Benchers at a reception in Convocation Hall.

"Brendan O'Brien"
Treasurer

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